

**STATE OF MICHIGAN
BEFORE THE JUDICIAL TENURE COMMISSION**

COMPLAINT AGAINST

Hon. Joseph D. Slaven
23rd District Court
Taylor, MI
_____ /

FC No. 108

COMPLAINT

The Judicial Tenure Commission (“Commission”) has authorized this complaint against Honorable Joseph Slaven (“respondent”), judge of the 23rd District Court, City of Taylor, County of Wayne, State of Michigan, and directed that it be filed. This action is taken pursuant to Article 6, Section 30 of the Michigan Constitution of 1963, as amended, and MCR 9.200 *et seq.*

1. Respondent has been a licensed lawyer and a member of the State Bar of Michigan since 2000.
2. Respondent is, and since January 2015 has been, a judge of the 23rd District Court, County of Wayne, State of Michigan.
3. As a judge, respondent has been, and still is, subject to the duties and responsibilities imposed on him by the Michigan Supreme Court and is subject to the standards for discipline set forth in MCR 9.104 and 9.202.

COUNT ONE

FALSE STATEMENT REGARDING RECORDED CONVERSATION

4. Respondent recorded several conversations in fall 2021 and early 2022 that he had with his new chief judge, Hon. Victoria Shackelford, after she was first appointed to the bench. Respondent did not tell Judge Shackelford that he was recording the conversations. During the first conversation he recorded on November 5, 2021, Judge Shackelford asked respondent if he was recording her. Respondent falsely told her that he was not recording her. Respondent knew this statement was false at the time he said it.

5. Respondent's knowingly false statement to Judge Shackelford was an impropriety that violated Canon 2(A). Respondent's knowingly false statement also violated MCR 9.104(2) by exposing the legal profession to obloquy, contempt, and reproach, and violated MCR 9.104(3) as contrary to ethics and honesty.

COUNT TWO
USE OF JUDICIAL POSITION TO HELP A CANDIDATE

6. In 2022 Michael Tinney was a candidate for 23rd District Court judge.
7. In April 2022 the 23rd District Court held a Law Day celebration at the courthouse. During the celebration respondent had an acrostic-style sign displayed in his courtroom. The vertical first letter of each word was bold and highlighted and spelled "TINNEY."
8. In October 2023 respondent was aware that Tinney was considering another campaign for a seat on the 23rd District Court in 2024.
9. On October 11, 2023, during a break in proceedings in a livestreamed Zoom court session that had nothing to do with Tinney, respondent stated: "While we are waiting for the parties to talk in the breakout rooms, I had a good opportunity to work with administrative law judge Mike Tinney..." He then continued talking about Tinney for about 90 seconds, during which he said: "[Tinney was a] long time Taylor resident and really good guy"; "Tinney says it's always important to look at all the facts of the case"; "thank you Mike Tinney...I look forward to doing more community service with you and community activism."
10. During a livestreamed Zoom court session on October 26, 2023, while litigants were conversing in breakout rooms and respondent was not taking any action in a case, respondent displayed a PowerPoint slide with what was characterized as a "public service announcement." Though most of the announcement was in black type, the slide said in all red capital letters, "Judge Joseph Slaven and Administrative Law Judge Mike Tinney encourage everyone to be involved in the community," with a picture of respondent and Tinney below it. The slide had

nothing to do with proceedings before respondent. At least one of respondent's goals in preparing the slide in this fashion and displaying the slide to the public was to promote Tinney's potential candidacy for the 23rd District Court.

11. On October 31, 2023, during his landlord-tenant docket, respondent played a slideshow that advised litigants of their rights in landlord-tenant cases. The last slide was a picture of respondent and Tinney with the words "Administrative Law Judge Mike Tinney" in bold red letters above it. Respondent then stated that he would like to thank "Administrative Law Judge Mike Tinney" for helping put together the slide show presentation.
12. Respondent's use of his judicial office to publicize Tinney as described in paragraphs 7, 9, 10, and 11, above, violated MCR 9.202(B)(1)(e) and Canon 2(C) by misusing the prestige of his office to support Tinney.
13. On September 21, 2024, respondent used courthouse resources to print 160 copies of a document called "Mike Tinney is a Man of the People" to assist Tinney's campaign for 23rd District Court.
14. On October 22, 2024, respondent used courthouse resources to print voter precinct maps to assist Tinney's campaign for 23rd District Court.
15. Respondent's use of public resources for Tinney's campaign purposes violated MCL 169.257(1) and was a disregard of the law that violated Canon 2(B).

COUNT THREE
INAPPROPRIATE DEMEANOR & DISRESPECT

16. In April 2022 Judge Shackelford was a candidate for election to 23rd District Court. As of the April 2022 Law Day Celebration referred to in paragraph 7, above, the vocal supporters of Judge Shackelford's judicial campaign included court employees Deanna Warunek, Marsha Gilmer, Rita Hardecki, and Marissa Fowler; former employee Brittany Carmona; and City of Taylor employee Gerald Thomas.
17. The day after the Law Day event, which took place on April 29, 2022, respondent made a post on his "Judge Slaven" Facebook page about the event. His post stated in part: "they are simple minded buffoons!! BC, MG, DW, MF, RH,

GT.....smh and shame on them.” Respondent further wrote that the people whose initials he listed “lie” and “twist things.”

18. The initials in the post referred to in paragraph 17 were all initials of the persons identified in paragraph 16.
19. With respect to the persons whose initials respondent listed, this Facebook post violated Canon 2(B), which requires him to treat people with courtesy and respect.
20. On October 11, 2023, during a livestream Zoom hearing with members of the public present, respondent complained that show cause hearings had been added to his docket without his permission. He then stated that the court administrator “thinks she can make my docket better than I can. Good luck with that. She can’t even do her goddamn job.”
21. This comment, made on a livestream Zoom hearing, was disrespectful, discourteous, and undignified, in violation of MCR 9.202(B)(1)(c) and Canons 3(A)(3) and 3(A)(14).
22. On November 20, 2023, during a livestream Zoom hearing, respondent said, referring to Chief Judge Shackelford, “I’m sorry that you can’t handle your docket. I’m sorry you don’t know the law. I’m sorry the court rules seem to be somewhat of a foreign language. The public needs to know that people who are in certain positions are not competent.”
23. Respondent’s comments disparaged the chief judge of his court in a way that was disrespectful and undignified, in violation of MCR 9.202(B)(1)(c) and Canons 3(A)(3) and 3(A)(14).
24. In February 2023, a Bible had been partially obscuring respondent’s face from the view of the Zoom camera during Zoom proceedings, in violation of the court’s policy requiring that a judge be seen on camera in “full face view” during Zoom proceedings. In response, Chief Judge Shackelford directed respondent to show his full face during Zoom proceedings.
25. On February 23, 2023, after Chief Judge Shackelford directed respondent to show his full face during Zoom proceedings, a police officer signed onto

respondent's livestreamed Zoom feed to swear out a warrant. Respondent appeared with a Bible and a small bouquet of flowers obscuring part of his face. Respondent asked the officer if the officer could see respondent's face. As he did so, respondent stretched his neck up to be able to be seen over the Bible. When the officer said he could see respondent's face, respondent said, "Just wondering, cuz I have to deal with people who literally are clueless ...um, and so it's just, it's really really really annoying." Respondent followed up with "so anyway, let me see if this is the the, I'm still just befuddled by the absolute insanity that I have to deal with, the control freak."

26. Respondent's remarks that are described in paragraph 25 were thinly veiled references to Chief Judge Shackelford. They were disrespectful and discourteous, in violation of MCR 9.202(B)(1)(c) and Canons 3(A)(3) and 3(A)(14).
27. In a January 25, 2024 livestreamed Zoom hearing, an attorney joined the proceeding and said, "I am sorry I was late I was in Judge Shackel, um Judge Shackelford . . .," to which respondent replied "Shackel-fool." This comment was discourteous and disrespectful, in violation of MCR 9.202(B)(1)(c) and Canons 3(A)(3) and 3(A)(14).
28. In a January 23, 2024 Zoom hearing, a witness signed into respondent's Zoom session. The witness was actually supposed to appear before Chief Judge Shackelford on a different day. When the confused witness asked respondent the name of the other judge, he said that it was the "other judge" without referring to Judge Shackelford by name. The witness then asked for the time of the hearing for which she was supposed to appear, to which respondent muttered "god dammit" before giving her the time of the hearing. Respondent's comment was undignified, in violation of Canon 3(A)(3).
29. In a January 16, 2024 Zoom hearing, respondent said the following in reference to Chief Judge Shackelford during a live Zoom feed between hearings: "we're going to have a bonfire and taking everything with her name on it and she's

fucking voted out, gone...I will bring burn barrels.” These comments were undignified, in violation of Canon 3(A)(3).

30. As of January 2024, respondent opposed Judge Shackelford’s reelection and supported Michael Tinney for Judge Shackelford’s seat in the 2024 election. During a Zoom session on January 24, 2024, respondent had just finished his landlord-tenant docket and was speaking with his court officer while still streaming. Respondent said he had finished 46 cases and could not imagine only having 12 cases. Respondent added that “voters should all know, this is Judge Slaven, that you gotta have people who carry the load...you wouldn’t hire a milkman who couldn’t deliver the milk, you wouldn’t hire a doctor who doesn’t know how to doctor. Just sayin.” These comments were references to Judge Shackelford. These comments were disrespectful in violation of MCR 9.202(B)(1)(c) and Canons 3(A)(3) and 3(A)(14). Additionally, they were an effort to use respondent’s livestream to assist Tinney’s candidacy by calling voters’ attention to what he perceived to be inadequacies in Judge Shackelford, Tinney’s opponent. As such, respondent’s comments violated MCR 9.202(B)(1)(e) and Canon 2(C), which prohibit judges from misusing the prestige of office to advance the interests of themselves or others.

COUNT FOUR
DISRESPECTFUL EMAILS

31. On November 8, 2023, respondent replied to an email sent to him regarding courthouse policies that were related to some changes in landlord-tenant law. Respondent’s reply to the email told the court administrator “now that you want to play games, I will not force the clerks to change paperwork.” Respondent copied other members of the court staff in this email. Respondent had no legitimate foundation for his game-playing allegation and no legitimate reason to share his game-playing allegation with other court personnel. Publicly accusing the court administrator of playing games when respondent lacked a good faith basis to say that was a violation of Canon 3(A)(14). Sharing his accusation with other court personnel the court administrator supervised,

without legitimate reason to do so, undercut the court administrator's ability to run the court, and therefore violated Canon 3(B)(1).

32. In reply to respondent's email to court staff that asserted that the court administrator was playing games with respect to policy, Chief Judge Shackelford sent an email to respondent on November 8, 2023. The email ordered him to stop sending his emails about policy to court staff and instead to discuss his concerns with either the court administrator or Judge Shackelford. Judge Shackelford's email said, "you can consider your written order," which appears to be a typographical error that omitted the word "this."
33. Respondent replied to Judge Shackelford's email on November 8, 2023 and sent his reply to the same members of the court staff he had emailed earlier in the thread, thereby disregarding his chief judge's order to not send emails of this nature to court staff, in violation of Canon 3(B)(1). Respondent's reply told Judge Shackelford that he couldn't understand her "word salad." Respondent's email that he deliberately shared with other court employees was disrespectful, in violation of MCR 9.202(B)(1)(c) and Canon 3(A)(14).
34. A few days later, on November 10, 2023, Judge Shackelford sent an email to respondent alone, stating her concerns with his prior email and with respondent still including court staff in the emails. She told respondent that "accusing [the court administrator] of engaging in unethical conduct constitutes harassment and is defamatory in nature."
35. Respondent replied to Judge Shackelford's email on November 11, 2023. He again copied his reply to all the court employees he had included in his original email that accused the court administrator of playing games, thereby disregarding his chief judge's order to not send emails of this nature to court staff, in violation of Canon 3(B)(1), and respondent also added a copy to the email address "newswatchnation@gmail.com." Respondent's email told Judge Shackelford: "I'm sorry your understanding and knowledge of the court rules is lacking, I'm still willing to help you learn law stuff . . . It appears that your misunderstanding or confusion about the court rules might stem from a possible

deficiency in read[ing] comprehension.” Respondent’s email was disrespectful, in violation of MCR 9.202(B)(1)(c) and Canon 3(A)(14).

COUNT FIVE

DISREGARD OF THE LAW WITH RESPECT TO WEARING A ROBE

36. MCR 8.115(B) requires that a judge wear a black robe when acting in an official capacity in the courtroom. During the COVID pandemic in 2020-2021, when court proceedings were only on Zoom and not in person, former Chief Judge Salomone saw respondent not wearing his robe when he appeared on Zoom for proceedings. In 2020 and again in 2021, then-Chief Judge Salomone reminded respondent to wear his robe during court proceedings.
37. Judge Shackelford replaced Judge Salomone as chief judge in the fall of 2021. Respondent continued to not wear his robe during Zoom proceedings. On multiple occasions between September 2022 and February 2023, Judge Shackelford and then-SCAO regional administrator Paul Paruk counseled respondent to wear his robe while in court.
38. Judge Shackelford sent emails and attempted to set up in-person meetings with respondent to discuss wearing his robe, but respondent did not respond to her requests.
39. After receiving reminders and instruction to follow the court rule from his chief judge and regional administrator, respondent continued to not wear his robe while he was in court.
40. On dates in 2022 that included April 27 and September 12 and 13, respondent wore a polo shirt with no visible robe during court proceedings on Zoom.
41. On the occasions that respondent did not wear a robe during court proceedings after having been reminded to do so, or placed his robe only in his lap, he violated MCR 8.115(B) and also Canon 3(A)(1), which requires that a judge be faithful to the law and competent in it.

COUNT SIX
CONCEALING FACE ON ZOOM

42. Prior to September 2022 respondent often did not have his camera on during Zoom proceedings, or if he had it on it only showed his eyebrows and forehead. Respondent accomplished this display by adjusting the camera so it would not show his full face.
43. In reaction to respondent's full or partial concealment of his face, on September 6, 2022, Chief Judge Shackelford ordered respondent to have his full face on camera during Zoom hearings. After he received this order, on September 12, 2022, he began to place a large Bible between him and the camera, and near the camera, such that the Bible blocked a large portion of his face from view.
44. Chief Judge Shackelford sent respondent emails in an attempt to meet with him about obstructing his face, but respondent did not reply. On October 17, 2022, respondent continued to keep the Bible prominently front and center on his Zoom screen but added a small bouquet of flowers that concealed the word "Bible" on the spine of the book. The book still obstructed respondent's face.
45. Respondent's disregard of his chief judge's directive to show his full-face during Zoom proceedings violated Canon 3(B)(1).

COUNT SEVEN
DISRESPECTFUL BEHAVIOR REGARDING SECURITY CAMERA

46. In April 2024 new security cameras were placed throughout respondent's courthouse. Shortly thereafter, including on April 14, 2024, April 30, 2024, May 1, 2024, May 2, 2024, May 3, 2024, May 6, 2024, May 10, 2024, May 14, 2024, and May 22, 2024, respondent began to raise his middle finger to "flip off" the camera as he walked by it or sometimes used his middle finger to ostentatiously push up his glasses as he walked by the camera.
47. Respondent showing his middle finger to the security camera was disrespectful to anyone charged with monitoring those cameras, in violation of MCR 9.202(B)(1)(c) and Canon 3(A)(14), and was undignified in violation of Canon 3(A)(3).

COUNT EIGHT
INTERFERENCE WITH ZOOM STAFF

48. On October 31, 2022, respondent stated on his livestream that the court's Zoom staff were incompetent and anyone watching could email respondent directly if they would like to know more about staff's incompetence.
49. Respondent's public comment that the Zoom clerks were incompetent was disrespectful and discourteous, in violation of MCR 9.202(B)(1)(c) and Canons 3(A)(3) and 3(A)(14).
50. One of the Zoom clerk's jobs was to verify litigants' addresses and phone numbers. On November 1, 2022, respondent left the main session of Zoom and entered the breakout room where the Zoom clerk was checking in participants. When respondent went into the breakout room the livestream followed him, which caused litigants' private information to be livestreamed as well. The Zoom clerk sent respondent a message requesting that he return to the main session. Respondent told the Zoom clerk, "next time you send me a request to return to the main session I will hold you in contempt of court. Don't ever tell me where to go, I don't care."
51. It was also the job of Zoom clerks to move Zoom participants between Zoom "rooms" as necessary. In fall of 2022, including on September 7 and October 31, respondent regularly interfered with the job of Zoom staff by moving people between Zoom "rooms" himself, even if the clerk had not yet been able to verify information that they needed to verify.
52. Respondent violated Canon 3(B)(1) by threatening a Zoom clerk with contempt for doing what he knew was the Zoom clerk's job, and by doing himself what the Zoom clerks were supposed to do and thereby interfering with the Zoom clerks' ability to record the information they needed to record.

COUNT NINE
KNOWINGLY DRIVING WITH EXPIRED AND OBLITERATED LICENSE
PLATE

53. From 2021-2024 respondent drove a black Chrysler Town and Country van to and from the courthouse. The license plate was illegible because the letters and numbers were worn off and the registration sticker has been scratched off. Respondent regularly parked the van in his designated parking spot at the courthouse.
54. The van's registration expired in 2016. Driving with an expired registration or a defaced plate violated MCL 257.225 and/or 257.255, which in turn violated Canon 2(B), which requires judges to respect and observe the law.

COUNT TEN
FALSE STATEMENTS TO THE COMMISSION

55. In 2024 respondent made false statements under oath while answering the Commission's request for his comments. Some of his false statements are detailed below. Each false statement violated MCR 9.104(2) and (3); Canon 2(A) as improper conduct that undermines the public's confidence in the judiciary; and Canon 2(B) by undermining the public's faith in the integrity of the judiciary:
- a. Paragraph 7 above describes an acrostic sign respondent used that spelled "TINNEY" vertically. On June 5, 2024, when asked by Commission staff if it was a just a coincidence that the sign spelled "TINNEY," respondent falsely told Commission staff under oath: "... It has Tinney on it only because if you want to read it like that, but it's not actually -- it's not -- just a good, good message. Always be trustworthy, always be kind. There's even a song about that kind of stuff. So I like the message... That's the number one reason. If it has any ancillary outcomes, then I can't control that." This explanation for the "TINNEY" acrostic was false and respondent knew it was false when he made it, in that the acrostic was to promote the

candidacy of Mike Tinney for respondent's court and that was an ancillary outcome respondent could control.

- b. Paragraph 9 above describes respondent praising Mike Tinney on Zoom between judicial proceedings on October 11, 2023. On August 10, 2024, while under oath, respondent told Commission staff that when he made the comments about Tinney that are described in paragraph 9, he was just "chewing the fat" with his court staff, and what he said was not an "announcement." These statements were false and respondent knew they were false when he made them, in that he was not merely conversing with his court staff and he intended what he said to be an announcement about Tinney.
- c. Paragraph 10 above describes how, on October 26, 2023, respondent showed a slide during his Zoom court proceedings that prominently featured Mike Tinney. On August 10, 2024, while under oath, respondent told Commission staff that he was "just doing a public service/awareness announcement." This statement was false, and respondent knew it was false when he made it, in that respondent was promoting Tinney's candidacy rather than merely doing a public service announcement.
- d. Paragraph 17 above describes a Law Day Facebook post by respondent in 2022. On June 5, 2024, respondent falsely told Commission staff under oath that the sets of letters in the post were not initials of court staff but were a secret Masonic code that he was using to send a message to Mike Tinney in the middle of his Law Day post. When asked if it was just a coincidence that the letters happened to match the initials of past or present court employees, he said "yeah." Respondent knew these statements were false when he made them.
- e. Paragraph 25 above describes an exchange respondent had with a police officer in February 2023 about whether the officer could see respondent's face over a Bible that was at the forefront of respondent's Zoom screen. During the exchange, respondent referred to people who are clueless, to a

- “control freak,” and to the insanity with which he had to deal. On August 9, 2024, respondent falsely told Commission staff under oath that he was not talking about Chief Judge Shackelford when he referred to clueless people or a “control freak” or insanity during that exchange. Respondent knew his statement was false when he made it.
- f. Paragraph 27 above describes how respondent referred to Judge Shackelford as “Shackel-fool” during a Zoom proceeding in January 2024. On August 9, 2024, respondent falsely told Commission staff under oath that he believed that it was the attorney who had first said “Shackel-fool” and he merely repeated what the attorney said. Respondent knew this statement was false when he made it.
 - g. Paragraph 28 above describes how respondent reacted to a witness’s request for the date and time of her hearing in front of Judge Shackelford by muttering “God dammit.” On August 9, 2024, respondent falsely told Commission staff under oath that he said “God, time it” rather than “God dammit,” and explained that he said “God, time it” because he was going to ask his secretary what time the hearing actually was. Respondent knew his statement was false when he made it.
 - h. Paragraph 29 above describes a comment respondent made during a live Zoom feed in January 2024 about burning everything with “her” name on it in burn barrels. Respondent was referring to Chief Judge Shackelford by his comment. On August 9, 2024, respondent falsely told Commission staff under oath that he was referring to his father’s stuff, because he had so much of it. Respondent knew this statement was false when he made it.
 - i. Paragraph 30 above describes comments respondent made during a January 2024 Zoom hearing in which respondent implicitly referred to himself handling more landlord tenant cases than someone else and stated “voters should all know, this is Judge Slaven, that you gotta have people who carry the load...you wouldn’t hire a milkman who couldn’t deliver the milk, you wouldn’t hire a doctor who doesn’t know how to doctor. Just

Sayin.” Respondent’s comments were about Chief Judge Shackelford. On August 9, 2024, respondent falsely told Commission staff under oath that he wasn’t implying anything negative about Judge Shackelford by his comments. Rather, he falsely claimed that he was just speaking positively about his own docket and generically about anything else. Respondent knew this statement was false when he made it.

Pursuant to MCR 9.230(B), an original verified answer to the foregoing complaint, and nine copies thereof, must be filed with the Commission within 14 days after service of the complaint upon respondent. Such answer must contain a full and fair disclosure of all facts and circumstances pertaining to the allegations. Willful concealment, misrepresentation, or failure to file an answer and disclosure are additional grounds for disciplinary action.

JUDICIAL TENURE COMMISSION
OF THE STATE OF MICHIGAN

/s/ Lynn Helland
Lynn Helland (P32192)
Disciplinary Counsel

/s/ Kevin Hirsch
Kevin Hirsch (P58757)
Disciplinary Co-counsel

/s/ Rebecca Jurva-Brinn
Rebecca Jurva-Brinn (P68790)
Disciplinary Co-counsel

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