

Cassidy stated that there could have been. IJ Cassidy stated that henceforth, he will not offer another IJ advice unless the IJ comes to him asking for it.

IJ Cassidy stated that in deference to IJ (b) (6) he has broken his long-term habit of wearing the robe outside the courtroom and now carries his robe over his arm until ready to enter court. IJ Cassidy acknowledged that he understands the difference between intent versus perception regarding a given behavior. He thanked me for taking the time to discuss the matter.

At several times during the discussion, IJ Cassidy became defensive and stated that he made a mistake and would not do "it" again.* He stated that he will write IJ (b) (6) a letter of apology if I asked for that. I stated that I do not believe he will repeat the behavior of entering another IJ's courtroom and interrupting proceedings, but am concerned about other over-reaching. I asked him to be mindful of his promise that he would not offer advice unless requested, particularly with regard to the new IJ, (b) (6) who will start on Monday, May 23. I stated that IJ (b) (6) is her mentor IJ, and that IJ Cassidy should remember his vow of not offering advice unless asked.

IJ Cassidy stated that he is cognizant of the perception of impropriety and will try to remain focused and "ever-present." However, he exhibited a degree of huffiness/scorn for my request that he not offer advice unless asked. In my opinion, he seemed offended that I questioned him at all about the matter. He stated several times that it was simply a mistake, and that he might understand if there was a "history or something." I stated that I am his new supervisor and do not know if there is a history. IJ Cassidy stated that there is most definitely not a history.

He asked again if he should be concerned that he is in disciplinary proceedings. I reiterated that I am in the process of learning the facts and will consider them carefully in making a decision. He stated that he felt uncomfortable. There were several moments of silence. I stated that the meeting had gone far over the hour I had allotted (it was 12:40 pm) and that we needed to conclude. I thanked him for his efforts in making my visit a pleasant one. We shook hands, and he left my (temporary) office.

*IJ Cassidy exhibited the following behaviors, facial expressions, etc., which I interpreted as defensive:

- numerous deep, audible sighs;
- slight rolling of eyes;
- crossed arms;
- rapid eye-blinking and slight watering;
- constantly interrupting me, waving his hands and saying, "excuse me, excuse me, but . . ."