

WHAT YOUR CITY SHOULD KNOW ABOUT JUDICIAL ETHICS

TCAA Conference | June 2022 | Galveston

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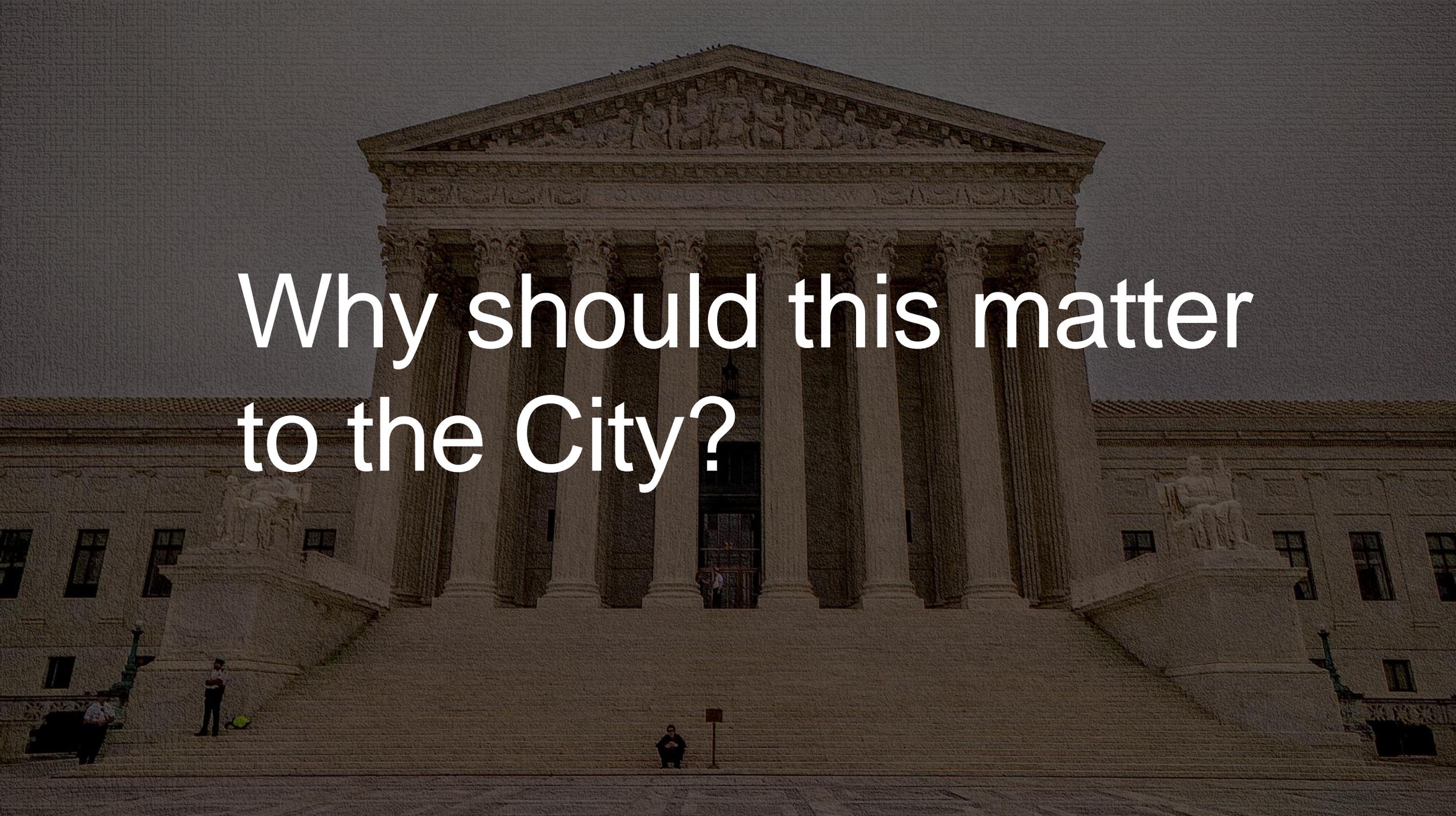
Objectives



Explain the relationship between the municipal judge, the City, and the SCJC

Identify the role that the Canons of Judicial Conduct play in ethical behavior in the courtroom

List three areas of recent ethics violations that have resulted in sanctions for judges



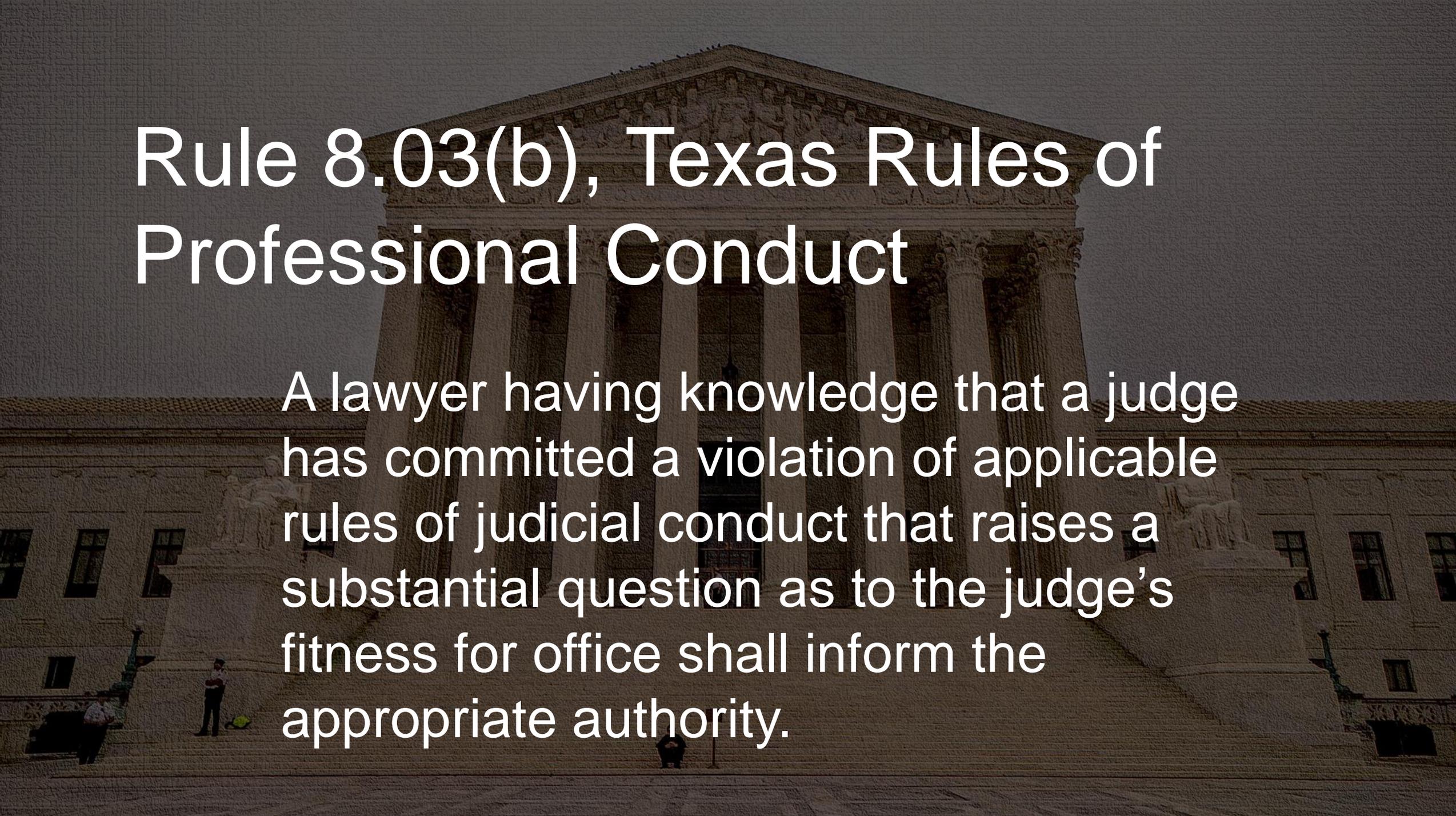
Why should this matter
to the City?

Appointing/Electing a Municipal Judge

- Authority:
 - Home-rule: 29.004(a), GC
 - General-law: 29.004(b), GC
- Term
 - Tex. Const. art. XI, § 11
 - 29.005, GC
 - 30.00006, GC

Advertising the
position?

Interviewing?



Rule 8.03(b), Texas Rules of Professional Conduct

A lawyer having knowledge that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority.



The municipal judge must follow:

Texas Rules of Judicial Education

- Authority: 56.006, GC
- Municipal judges: Rule 5



The municipal judge must follow:

Texas Code of Judicial Conduct

- Created by Supreme Court of Texas
- Basic standards for ethical conduct of Texas judges



Tex. Const. art. V, § 1-a

Protect public and promote confidence in judiciary

Investigates and sanctions judicial misconduct

Priv Adm of Former Mun Ct Judge (12/8/21)



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PRIVATE ADMONITION OF A FORMER MUNICIPAL COURT JUDGE (12/8/21)

12/08/2021

The judge failed to treat all defendants appearing before him with the patience, dignity and courtesy required of a judge with respect to those with whom he deals in an official capacity, when he made disrespectful and/or discourteous remarks to certain defendants that appeared in front of him in open court, including regarding those defendants' alleged inability to pay fines arising from their cases. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former Municipal Court Judge.* (12/8/21).

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Priv Rep of Former DI Judge (6/18/21)



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PRIVATE REPRIMAND OF A FORMER DISTRICT COURT JUDGE (6/18/21)

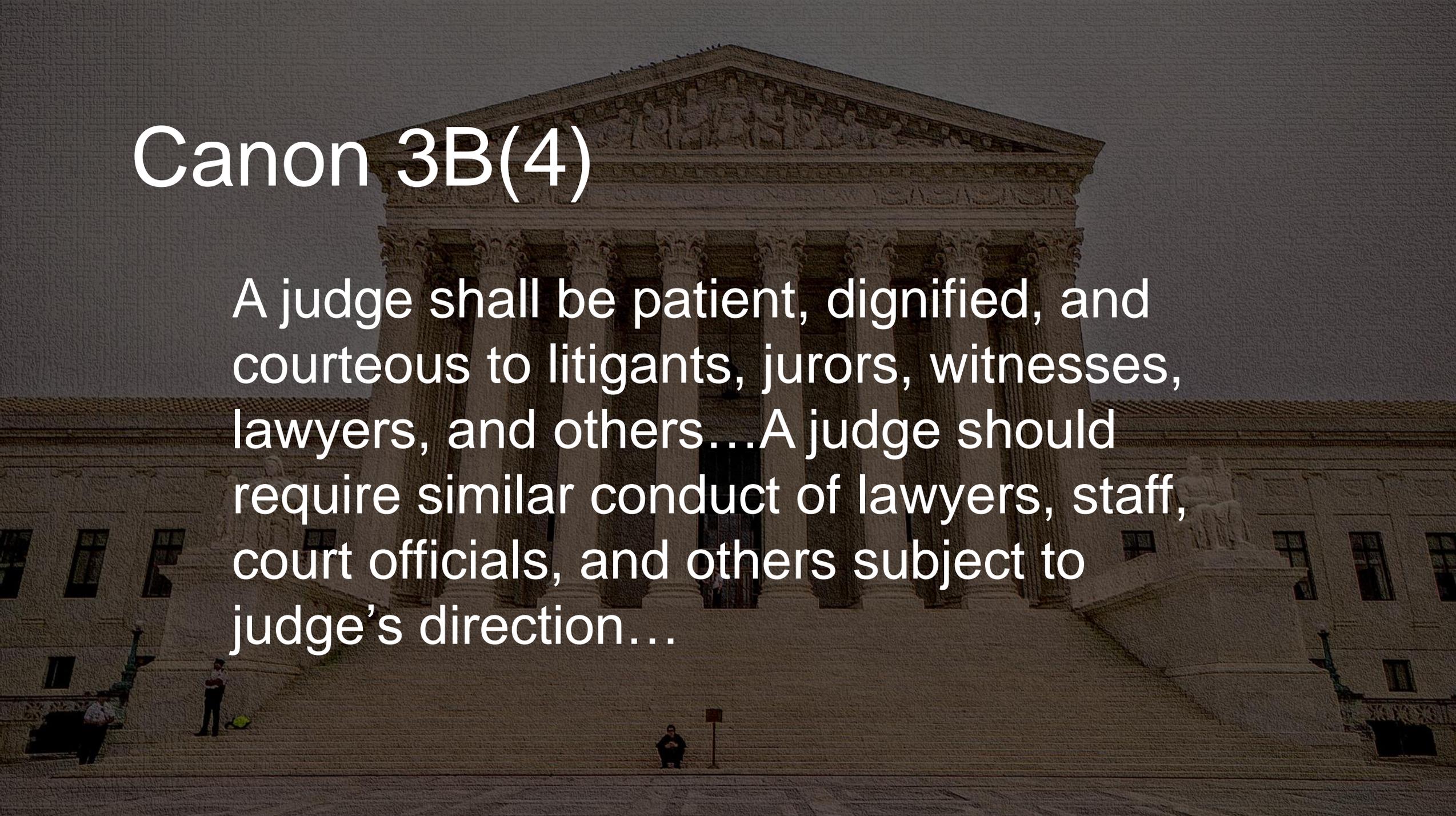
06/18/2021

The judge failed to be patient, dignified and courteous to a litigant and his counsel, demonstrated an improper prejudice against that litigant, and failed to accord him the right to be heard according to law. During a temporary orders hearing in a suit affecting the parent child relationship, the judge indicated his predisposition towards the litigant having any contact with his children based on the opposing party's presentation of her case, interrupted the testimony of the litigant's first and only witness, and discouraged further evidentiary presentation from the litigant and his counsel. [Violations of Canons 3B(4), 3B(5) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Former District Court Judge. (6/18/21).*

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Canon 3B(4)



A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others...A judge should require similar conduct of lawyers, staff, court officials, and others subject to judge's direction...

Priv Adm & OAE of JP (7/1/21)



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PRIVATE ADMONITION AND ORDER OF ADDITIONAL EDUCATION OF A JUSTICE OF THE PEACE (7/1/21)

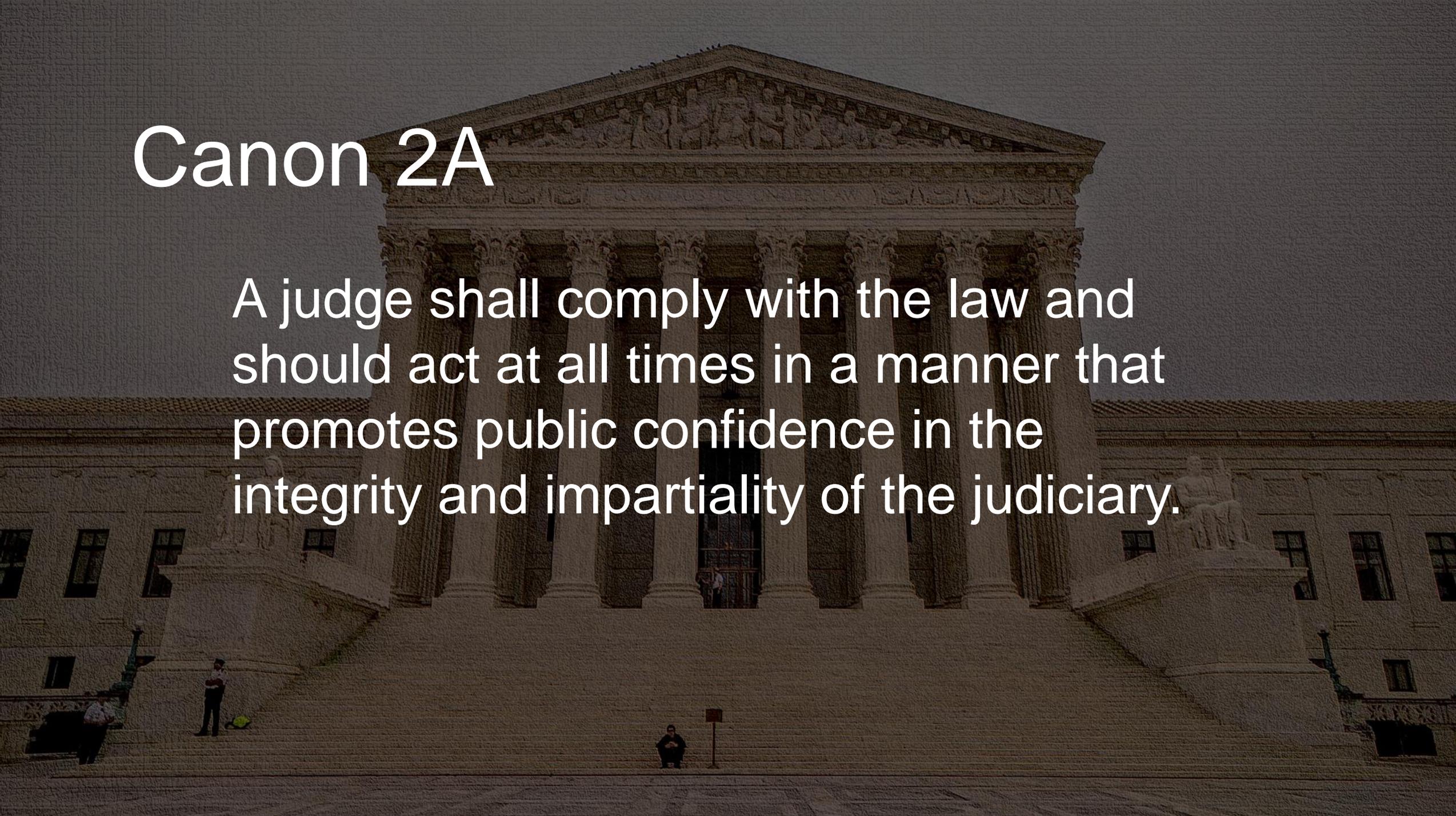
07/01/2021

The judge implemented a policy that violated the public's constitutional right of access to the courts by requiring parties, attorneys and members of the public to sign in and be called up individually before being admitted into the courtroom, and closing the court to the public during proceedings. [Violations of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace.* (7/1/21).

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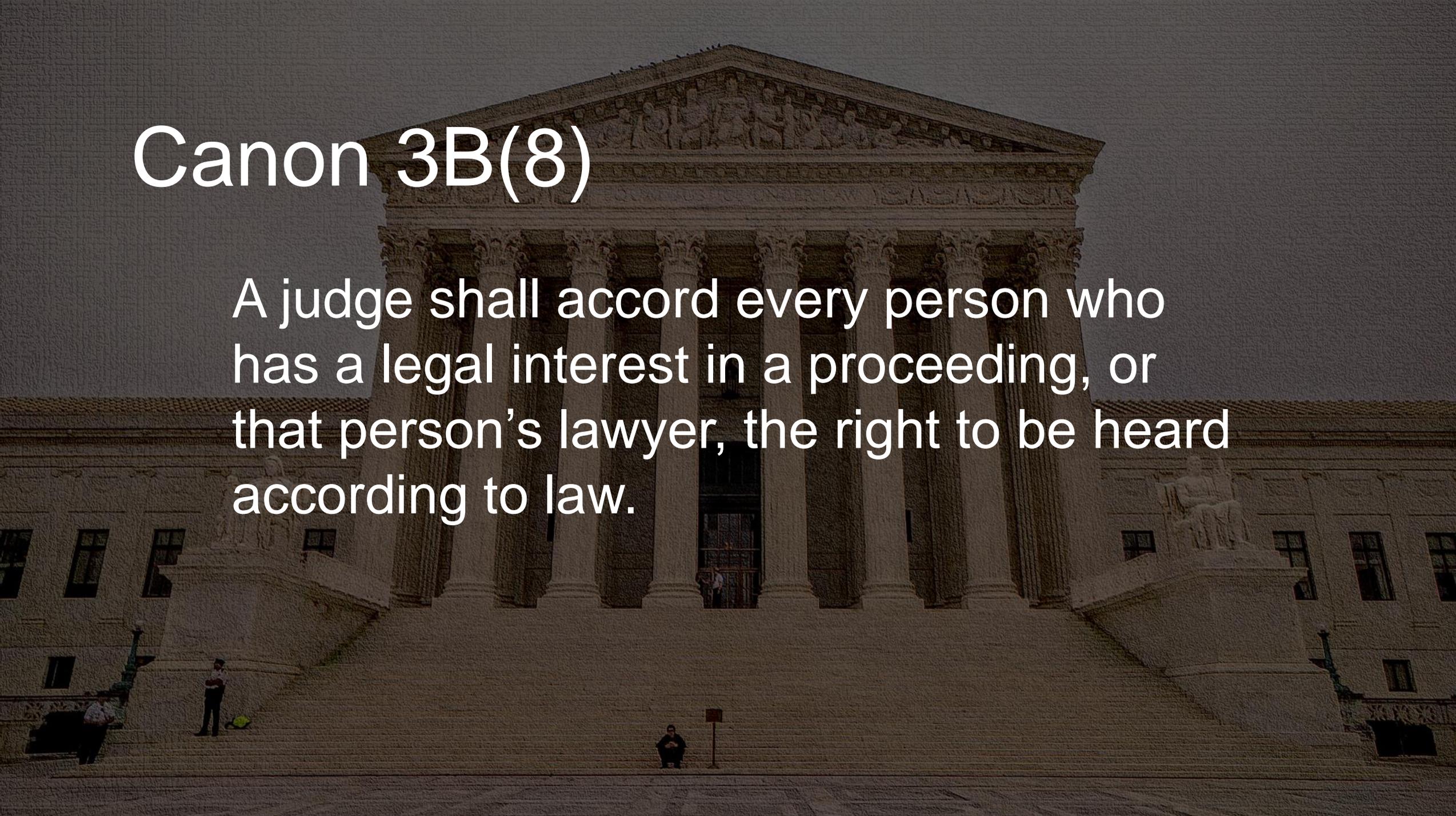
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Canon 2A



A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Canon 3B(8)



A judge shall accord every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.

Priv Adm of DI Judge (3/8/22)



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PRIVATE ADMONITION OF A DISTRICT COURT JUDGE (3/8/22)

03/08/2022

The judge appeared in a social media video depicting the judge dancing in the judge's courtroom to a song containing explicit lyrics, as requested by a person who could use that person's social media account and the video including the judge for that person's own social media promotional purposes. [Violations of Canon 2B of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Admonition of a District Court Judge. (3/8/22).*

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Priv OAE of DI Judge (3/8/22)



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PRIVATE ORDER OF ADDITIONAL EDUCATION OF A DISTRICT COURT JUDGE (3/8/22)

03/08/2022

The judge made a social media post promoting a conference in which the judge was participating and engaged in improper solicitation of funds for that event. [Violations of Canons 2B and 4C(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a District Court Judge. (3/8/22).*

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Priv Adm & OAE of County Court at Law Judge (8/12/20)



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PRIVATE ADMONITION AND ORDER OF ADDITIONAL EDUCATION OF A COUNTY COURT AT LAW JUDGE (8/12/20)

08/12/2020

The judge engaged in social media activities which cast reasonable doubt on his capacity to act impartially as a judge and cast public discredit upon the judiciary, when he made several Twitter comments critical of the district attorney's office and local law enforcement agencies. [Violations of Canon 4A(1) of the Texas Code of Judicial Conduct, and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Admonition and Order of Additional Education of a County Court at Law Judge.* 8/12/20.

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Canon 4A(1)

A judge shall conduct all of the judge's extra-judicial activities so that they do not:

(1) cast reasonable doubt on the judge's capacity to act impartially as a judge



Disciplinary Actions

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Show:

ALL

PUBLIC SANCTIONS

PRIVATE SANCTIONS

RESIGNATIONS

SUSPENSIONS

PRIVATE WARNING AND ORDER OF ADDITIONAL EDUCATION OF A DISTRICT COURT JUDGE (4/20/2022)

04/20/2022

The judge failed to comply with the law; failed to maintain professional competence in the law; failed to accord parties and/or their counsel the right to be heard according to law, and engaged in ...

[View](#)

HON. BARBARA STALDER

04/20/2022

280th Family Protective Order Court, Houston, Harris County, Texas
CJC NO. 20-0880

Public Reprimand

[View](#)

HON. WILLIAM SHANE NOLEN

04/07/2022

Former Associate Judge, 323rd District Court, Fort Worth, Tarrant County, Texas

HON. CLINTON E. "CHIP" WELLS

04/20/2022

312th Family District Court, Houston, Harris County, Texas
CJC NO. 20-0873

Public Admonition and Order of Additional Education

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PRIVATE ADMONITION OF A DISTRICT COURT JUDGE (4/7/22)

04/07/2022

The judge failed to comply with the law and maintain professional competence in the law when the judge engaged in impermissible ex parte communications with a District Attorney's Office regarding a...

[View](#)

HON. CLYDE BLACK

04/07/2022

Justice of the Peace, Pct. 1, Crockett, Houston County, Texas
CJC NOS. 21-0135, ET. AL.,



QUESTIONS?

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