



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 02-0124-AP

PUBLIC ADMONITION

**HONORABLE NELDA RODRIGUEZ
JUSTICE, 13TH COURT OF APPEALS
CORPUS CHRISTI, NUECES COUNTY, TEXAS**

During its meeting in Austin, Texas, on February 7-8, 2002, the State Commission on Judicial Conduct (the Commission) concluded a review of allegations against the Honorable Nelda Rodriguez, Justice of the 13th Court of Appeals, Corpus Christi, Nueces County, Texas. Justice Rodriguez was advised by letter of the Commission's concerns and provided a written response. Although invited to testify before the Commission on February 8, 2002, Justice Rodriguez failed to appear. After considering the evidence before it, the Commission entered the following Findings and Conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Nelda Rodriguez was a justice of the 13th Court of Appeals, Corpus Christi, Nueces County, Texas.
2. On or about August 23, 2001, a vehicle bearing official State Judge license plate number "TX-79" was photographed displaying a bumper sticker endorsing "Tony Sanchez for Governor."
3. Records from the Texas Department of Transportation revealed that the license plate number in question is registered to Justice Rodriguez.
4. When asked in a written inquiry from the Commission to respond generally to the allegation that displaying the political bumper sticker on her vehicle may be in violation of the Texas Code of Judicial Conduct, Justice Rodriguez wrote, "I do not respond to anonymous complaints."

5. Although Justice Rodriguez denied that she personally affixed the bumper sticker to the back of her car, she offered no evidence that would explain how it came to appear on her vehicle or how long it remained there.

RELEVANT STANDARD

Canon 2B of the Texas Code of Judicial Conduct states, in relevant part, that “[a] judge shall not lend the prestige of judicial office to advance the private interests of the judge or others.”

CONCLUSION


The Commission is disappointed that Justice Rodriguez declined to respond to its invitation to appear before it and provide information concerning the circumstances surrounding the appearance of the bumper sticker on her vehicle. As a result of this, and the Justice’s failure to be more forthcoming in her written responses to the Commission’s inquiry about this matter, the Commission was left with no choice but to rely on the limited information made available to it in reaching its decision that the Justice violated Canon 2B of the Texas Code of Judicial Conduct. Specifically, the Commission concludes from the evidence presented that Justice Rodriguez effectively lent the prestige of her judicial office to advance the private interests of Tony Sanchez, a Democratic candidate for Texas Governor, when she allowed a bumper sticker endorsing his candidacy to remain affixed to the back of a vehicle bearing her official State Judge license plates for an indefinite period of time.

In condemnation of the above-recited conduct that violated Canon 2B of the Texas Code of Judicial Conduct, it is the Commission’s decision to issue a **PUBLIC ADMONITION** to the Honorable Nelda Rodriguez, Justice of the 13th Court of Appeals, Corpus Christi, Nueces County, Texas.

Pursuant to the authority contained in Article 5, Section 1-a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC ADMONITION** by the Commission.

The Commission has taken this action in a continuing effort to protect public confidence in the judicial system and to assist the state’s judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this the 15 day of February, 2002.


Honorable Michael O'Neal, Chair
State Commission on Judicial Conduct