



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 19-0127

PUBLIC WARNING

**HONORABLE LOUIS E. "BUD" TURCOTTE
KENEDY COUNTY JUDGE
SARITA, KENEDY COUNTY, TEXAS**

During its regularly scheduled meeting on June 5-6, 2019, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Louis E. "Bud" Turcotte, County Judge in Sarita, Kenedy County, Texas. Judge Turcotte was advised by letter of the Commission's concerns and provided written responses. Although Judge Turcotte confirmed in writing that he would appear before the Commission on June 5, 2019 at 3:30 p.m., he failed to appear for his scheduled hearing. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Louis E. "Bud" Turcotte was County Judge in Sarita, Kenedy County, Texas.
2. On August 15, 2017, Kenedy County Attorney Alison Strauss filed a "Motion for Recusal" in which she requested the appointment of a prosecutor pro tem for a criminal matter involving Precinct 2 Justice of the Peace Jerry W. Miller.
3. On August 22, 2017, Judge Turcotte entered an order granting the motion, but included handwritten language that he was "not ready to appoint yet" a prosecutor pro tem.
4. During an October 23, 2018, telephone conversation with Commission Staff, the judge stated that he was unsure what to do with the County Attorney's request for the appointment of a prosecutor pro tem because he had an ongoing business relationship with Judge Miller, and did not think it would be appropriate for him to make any appointments in the case. Judge Turcotte ultimately decided that he would recuse himself and send the matter to the Regional Presiding Judge.

5. In his November 9, 2018 written responses to the letter of inquiry, the judge reiterated that he felt that he should recuse himself from the matter because he is a “friend and customer of [Judge Miller’s] business.”
6. On November 29, 2018, Commission Staff contacted Judge Turcotte to ascertain whether he had in fact recused himself from the matter. The judge admitted that he had not done so, but stated that he would immediately work on submitting the appropriate paperwork to the Regional Presiding Judge.
7. The Fifth Administrative Judicial Region of Texas confirmed that Judge Turcotte submitted his recusal paperwork with their office on November 29, 2018.

RELEVANT STANDARDS

1. Canon 2B of the Texas Code of Judicial Conduct, states, in pertinent part: “A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others...”
2. Canon 3B(1) of the Texas Code of Judicial Conduct states: “A judge shall hear and decide matters assigned to the judge except those in which disqualification is required or recusal is appropriate.”
3. Canon 3B(2) of the Texas Code of Judicial Conduct states, in pertinent part: “A judge should be faithful to the law and maintain professional competence in it.”
4. Section 33.001(b) of the Texas Government Code states, in relevant part, that “For purposes of Section 1-a, Article V, Texas Constitution, ‘willful or persistent conduct that is clearly inconsistent with the proper performance of a judge’s duties’ includes: (1) wilful, persistent, and unjustifiable failure to timely execute the business of the court, considering the quantity and complexity of the business....”

CONCLUSION

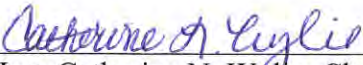
The Commission concludes based on the facts and evidence before it that Judge Turcotte allowed his relationship with Judge Miller to influence his decision to avoid appointing a prosecutor pro tem for over 15 months. Furthermore, the Commission concludes that Judge Turcotte exhibited incompetence in the law by not recusing himself in a timely manner despite having a personal and financial relationship with Judge Miller. The Commission concludes that Judge Turcotte’s conduct, described above, constitutes a willful violation of Canons 2B, 3B(1) and 3(B(2) of the Texas Code of Judicial Conduct and Section 33.001(b)(1) of the Texas Government Code.

In condemnation of the conduct described above that violated Canons 2B, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct and Section 33.001(b)(1) of the Texas Government Code, it is the Commission’s decision to issue a **PUBLIC WARNING** to the Honorable Louis E. “Bud” Turcotte, County Judge in Sarita, Kenedy County, Texas.

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

The Commission has taken this action in a continuing effort to protect the 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 16th day of July, 2019.



Hon. Catherine N. Wylie, Chair
State Commission on Judicial Conduct