

STATE COMMISSION ON JUDICIAL CONDUCT



ANNUAL REPORT FOR FISCAL YEAR 2019

STATE COMMISSION ON JUDICIAL CONDUCT

COMMISSION MEMBERS

David C. Hall, Chair

Ronald E. Bunch, Vice-Chair

Tramer J. Woytek, Secretary

Demetrius K. Bivins

David M. Russell

David M. Patronella

Darrick L. McGill

Sujeeth B. Draksharam

Ruben G. Reyes

Lee Gabriel

Valerie Ertz

Frederick C. Tate

P.O. Box 12265 ★ Austin, Texas ★ 78711
Telephone (512) 463-5533 ★ Fax (512) 463-0511
Toll Free (877) 228-5750 ★ TDD (800) RELAY-TX
Website: www.scjc.texas.gov

COMMISSIONER INFORMATION

OFFICERS

CHAIR

Hon. David C. Hall

County Court at Law Judge, Sweetwater
Appointed by Texas Supreme Court
Term Expires: 11/19/2021

VICE-CHAIR

Hon. Ronald E. Bunch

Attorney, Waxahachie
Appointed by State Bar of Texas
Term Expires: 11/19/2023

SECRETARY

Hon. Tramer J. Woytek

County Judge, Hallettsville
Appointed by Texas Supreme Court
Term Expires: 11/19/2023

MEMBERS

Mr. Demetrius K. Bivins

Attorney, Houston
Appointed by State Bar of Texas
Term Expires: 11/19/2019

Hon. Ruben G. Reyes

District Judge, Lubbock
Appointed by Texas Supreme Court
Term Expires: 11/19/2023

Hon. David M. Russell

Public Member, Dripping Springs
Appointed by Governor
Term Expires: 11/19/2019

Hon. Lee Gabriel

Appellate Justice, Fort Worth
Appointed by Texas Supreme Court
Term Expires: 11/19/2019

Hon. David M. Patronella

Justice of the Peace, Houston
Appointed by Texas Supreme Court
Term Expires: 11/19/2021

Hon. Valerie Ertz

Public Member, Dallas
Appointed by Governor
Term Expires: 11/19/2023

Hon. Darrick L. McGill

Public Member, Georgetown
Appointed by Governor
Term Expires: 11/19/2021

Hon. Frederick C. Tate

Public Member, Colleyville
Appointed by Governor
Term Expires: 11/19/2023

Hon. Sujeeth B. Draksharam

Public Member, Sugar Land
Appointed by Governor
Term Expires: 11/19/2021

STATE COMMISSION ON JUDICIAL CONDUCT

COMMISSION STAFF

Jacqueline Habersham, Interim Executive Director

Jessica Manojlovich, Deputy Director

Lorin Hayes, Senior Commission Counsel

Michael Graham, Commission Counsel

Forrest Lumpkin, Commission Counsel

Phil Robertson, Commission Counsel

Ron Bennett, Chief Investigator

Katherine Mitchell, Senior Investigator

Cherie Thomas, Commission Investigator

Elizabeth Trevino, Commission Investigator

Kathryn Crabtree, Staff Services Officer

Connie Paredes, Administrative Assistant

Patricia Leal, Administrative Assistant

STATEMENT FROM THE CHAIR

On behalf of the State Commission on Judicial Conduct, we are pleased to present the attached annual report. I hope that this report makes apparent the hard work done by the full-time Commission staff and volunteer Commissioners to manage the judicial disciplinary system for the State of Texas.

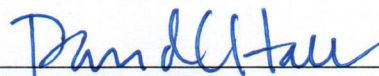
The Commission investigates each and every allegation of misconduct or disability made against Texas judges. By constitutional design, the 13 Commissioners comprise a diverse and independent body within the judicial branch of state government. The Commission does not have the power or authority of a court – questions of law are for the courts to decide. The Commission is tasked with holding Texas judges to clear and obvious rules prescribed within the Texas Constitution, the judicial canons, statutes created by the legislature and through interpretation by the courts. This mandate requires the Commission's cooperation with each branch of Texas government.

The Commission is grateful for the support of the Legislature and Governor Greg Abbott who, having served as both a Texas trial court judge and Supreme Court justice, clearly recognizes the needs and challenges of the judicial branch. The Commission wishes to be responsive to the concerns of the legislative and executive branches, and will adopt a proactive and cooperative approach in preparation for the 2021 legislative session. The Commission is also grateful for the constant cooperation and responsiveness of the Texas Supreme Court, which prescribes our judicial canons, governs the Commission's operating procedures, designates justices to special courts of review and, of course, appoints judicial members of the Commission.

Of course, Commissioners from such different backgrounds will not always agree; however, we are focused on making a deliberate, sober analysis and recital of facts when judicial misconduct occurs. The constitutional requirement for confidentiality of case-specific information has always been, and remains, a high priority for the Commission. This approach allows the Commission to remain non-partisan, avoids judicial complaints being used as a political weapon and protects public trust. Texans can have confidence that each Commissioner and staff member takes his or her commitment to service very seriously.

The Commission is presently engaged in a nationwide search for its top leadership position and will select an executive director in the coming months. The Commission has seen increased complaint volume due to the introduction of an online submission portal in June of 2016. While findings of actual judicial misconduct have been stable, the annual caseload for Commission investigation increased by over 73% in fiscal year 2019 relative to fiscal year 2015. The good news about these numbers is that they indicate a consistent history of success in identifying acts of misconduct by Texas judges. The bad news is that the increased complaint volume has strained Commission staff's ability to manage cases by traditional methods. The Commission has taken steps to address efficiency in case management; however, there is a need for additional resources.

A small government commission which operates confidentially and without dramatic effect makes an easy target in current times. That said, this Commission will continue its quiet work to maintain public trust in an independent judiciary governed by and held accountable to the rule of law.



Judge David C. Hall

Chairman, State Commission on Judicial Conduct

PHILOSOPHY

The members of the State Commission on Judicial Conduct and Commission staff take their obligations to the citizens and judges of Texas seriously. The political affiliation, gender, ethnicity, religious background, sexual orientation, socioeconomic status, geographical location, or the position of a complainant or a judge are not considered in the Commission's review of cases. The Commission's ability to fulfill its constitutional mandate requires that each Commissioner and staff member act with honesty, fairness, professionalism and diligence.

The agency reviews every allegation of misconduct made against a Texas judge. Each complaint alleging misconduct on its face is thoroughly investigated and analyzed by Commission staff before being presented to the Commissioners. This process helps preserve the public's confidence in the integrity of the judicial process. Judges are held to the highest standards of ethical conduct, both on and off the bench, and the both Commission and its employees strive to conduct themselves in a similar manner.

OVERVIEW OF THE COMMISSION

Authority of the Commission

Created in 1965 by an amendment to Article V of the Texas Constitution, the State Commission on Judicial Conduct is the independent judicial branch agency responsible for investigating and addressing allegations of judicial misconduct or permanent disability.

The Commission's jurisdiction includes all sitting Texas judges, including municipal judges, justices of the peace, criminal magistrates, county judges, county court at law judges, statutory probate judges, district judges, appellate judges, masters, associate judges, referees, retired and former judges who sit by assignment, and judges *pro tempore*. The Commission has no jurisdiction over federal judges and magistrates, administrative hearing officers for state agencies or the State Office of Administrative Hearings, or private mediators or arbitrators. Although judicial candidates are required to comply with the Texas Code of Judicial Conduct, the Commission does not have authority to sanction anyone who is not a sitting judge at the time of the alleged misconduct. Instead, an alleged violation of the canons by a judicial candidate who is not a judge at the time of the conduct may be subject to review by other authorities including the State Bar, the Attorney General, the Secretary of State, or the local District Attorney.

Members of the Commission

There are thirteen members of the Commission, each of whom serves a staggered six-year term, as follows:

- Six judges, one from each of the following courts: appellate, district, county court at law, constitutional county, justice of the peace and municipal, appointed by the Supreme Court of Texas;
- Five citizen members who are neither attorneys nor judges, appointed by the Governor; and
- Two attorneys who are not judges, appointed by the State Bar of Texas.

By law, the appellate, district, constitutional and statutory county judges and the two attorney members who serve on the Commission must be appointed from different appellate districts in Texas. Meanwhile, the justice of the peace, municipal court judge and public members are at-large appointments. The Texas Senate confirms all appointees. Commissioners meet six times each year and receive no pay for their service.

Laws Governing the Commission

The Commission is governed by Article V, Section 1-a, of the Texas Constitution, Chapter 33 of the Texas Government Code, the Texas Procedural Rules for the Removal or Retirement of Judges, and the Texas Code of Judicial Conduct. As a part of the judicial branch with its own constitutional and statutory provisions regarding confidentiality of papers, records and proceedings, the Commission is not

governed by the Texas Public Information Act, the Texas Open Meetings Act, or the Texas Administrative Procedures Act.

Defining Judicial Misconduct

Article V, Section 1-a(6)A of the Texas Constitution defines judicial misconduct as the “willful or persistent violation of rules promulgated by the Supreme Court of Texas, incompetence in performing the duties of the office, willful violation of the Code of Judicial Conduct, or willful or persistent conduct that is clearly inconsistent with the proper performance of [the judge’s] duties or casts public discredit upon the judiciary or administration of justice.”

Accordingly, a judge’s violation of the Texas Constitution, the Texas Penal Code, the Texas Code of Judicial Conduct, or rules promulgated by the Supreme Court of Texas may constitute judicial misconduct. Specific examples of judicial misconduct include:

- failure to cooperate with the Commission’s investigation
- inappropriate or demeaning courtroom conduct, including yelling, use of profanity, demonstrated gender bias or the use of racial slurs
- improper *ex parte* communications with only one side in a case
- a public comment regarding a pending case
- presiding over a case in which the judge has an interest in the outcome, or in which any of the parties, attorneys or appointees are related to the judge within a prohibited degree of kinship
- out of court activities, including criminal conduct, engaging in improper financial or business dealings, improper fundraising activities, sexual harassment or official oppression

Sources of Complaints and Allegations

The Commission considers allegations from any source, including an individual, a news article, or information obtained during an investigation. There is no requirement that a person who files a complaint be the target or victim of the alleged misconduct, nor does the Commission require a complainant to have firsthand knowledge of the alleged misconduct. Complaints may be made anonymously, or a complainant may request confidentiality; however, anonymous complaints and requests for confidentiality may restrict the Commission’s ability to fully investigate the allegations. Furthermore, while the Commission strives to maintain confidentiality to those complainants who request it, the Commission may, in its discretion, reveal the identity of a confidential complainant when doing so serves the Commission’s interest in protecting the public by addressing misconduct.

Commission Limitations

The Commission does not have the power or authority of a court in this state, cannot change the decision or ruling of any court, nor can the Commission intervene in any pending case or proceeding. The Commission is also unable to remove a judge from a case. If the Commission determines that a judge has committed misconduct in an ongoing case, the Commission may only issue a sanction against the judge, or institute proceedings that would authorize the eventual removal of the judge from the bench. Nonetheless, it is the strong preference of the Commission not to make any finding that would impact or alter the outcome of an ongoing case.

Neither the Commission nor its staff can provide legal assistance or advice to a complainant, nor can it award damages or provide monetary relief to anyone.

Commission Investigations and Actions

Complaints are reviewed, analyzed and investigated by Commission staff. An investigation may include a review of court records and witness interviews. The Commission also endeavors to obtain a respondent judge's perspective before contemplating issuing any discipline against the judge. Once all the information is obtained through the investigation, the materials are presented to the Commission for deliberation. Typically, the Commission will either dismiss or sanction a judge at that point. Occasionally, as the facts and law warrant, the Commission may seek to suspend a judge, accept a voluntary resignation agreement from a judge in lieu of disciplinary action, or institute formal proceedings, as appropriate.

Commission Organization and Staff

In fiscal year 2019, the Commission had fourteen authorized staff positions (Full Time Equivalents, or "FTEs"). For the year, Commission's staff included the Executive Director, the Deputy Director, the Deputy General Counsel, three staff attorneys, Chief Investigator, four investigators, a staff services officer, and two administrative assistants. All Commission staff members are full time State employees.

The Commission's legal staff, which consists of attorneys, legal assistants and investigators, is responsible for the evaluation and investigation of complaints. The investigators and legal assistants handle in-house and field investigations, screen all new cases and are also responsible for preparing legal documents and assisting the attorneys in the prosecution of disciplinary proceedings. The attorneys are responsible for investigating allegations of judicial misconduct or incapacity, presenting cases to the Commission, prosecuting disciplinary cases before Special Courts of Review, Special Masters, and Review Tribunals, responding to ethics calls, and speaking about judicial ethics at judicial educational and training seminars.

The Commission staff attorneys serve as Examiners, or trial counsel, during formal proceedings and on appeals from Commission actions. The Examiner is responsible for all aspects of preparing and presenting a case before the Commission, Special Master, Special Court of Review or Review Tribunal. The Commission may also employ Special Counsel, chosen from distinguished members of the bar, to assist staff in preparing and presenting these cases. Attorneys from the Office of the Attorney General have also represented the Commission as Special Counsel in formal proceedings.

The Executive Director heads the agency and reports directly to the Commission. The Executive Director is also the primary liaison between the Commission and the judiciary, legislators, other government officials, the public and the media.

Outreach and Education

In fiscal year 2019, the Executive Director and staff attorneys participated in over twenty presentations at judicial training courses, bar conferences, outreach programs, and court staff workshops, describing the Commission and its operations and discussing various forms of judicial misconduct.

Ethics Calls

In fiscal year 2019, the Executive Director and staff attorneys responded to approximately 500 inquiries from judges, judicial candidates, attorneys, legislators, the media and citizens regarding judicial

ethics. Callers are informed that Commission staff cannot issue an opinion on behalf of the Commission, and that the Commission is not bound by any comments made during the conversation. As appropriate, a caller's question may be researched before the call is returned so that the specific canon, statute, rule or ethics opinion can be identified. When appropriate, staff will send the caller a Complaint Form (in English or Spanish) and other relevant material. In some instances, staff may refer callers to other resources or agencies better able to address their concerns.

Commission Website/Online Complaints

The Commission's website is located at www.scjc.texas.gov. In March of 2016, the Commission added an online portal to its website allowing users to electronically file complaints with the agency.

The Commission's website also provides downloadable complaint forms in English and Spanish. The website offers: answers to frequently-asked questions regarding the Commission's composition, structure and jurisdiction; information about the judicial complaint process; a description of the range of decisions the Commission can make; explanations of the procedures for a judge or a complainant to appeal a decision by the Commission. Further, the website provides statistical information about the Commission and updated sanctions, resignations, suspensions, and Opinions issued by Special Courts of Review and Review Tribunals.

The Commission's governing provisions (the Texas Code of Judicial Conduct; Article V, Section 1-a of the Texas Constitution; Chapter 33 of the Texas Government Code; and the Texas Procedural Rules for the Removal or Retirement of Judges) are all linked on the website as well.

Public Information

The availability of information and records maintained by the Commission is governed by Rule 12 of the Texas Rules of Judicial Administration, the Texas Constitution and the Texas Government Code. Commission records are not subject to public disclosure pursuant to the Public Information Act (formerly the Open Records Act) or the Freedom of Information Act.

Generally, Commission records are confidential, with the following exceptions:

- Constitution: Article V, Section 1-a(10) of the Texas Constitution provides that "All papers filed with and proceedings before the Commission or a Master shall be confidential, unless otherwise provided by law..."
- Government Code:
 - When the Commission issues a public sanction against a judge, Section 33.032 of the Texas Government Code provides that "the record of the informal appearance and the documents presented to the commission during the informal appearance that are not protected by attorney-client or work product privilege shall be public."
 - This Section also provides that suspension orders and voluntary agreements to resign in lieu of disciplinary proceedings are publicly available.
 - Section 33.032 also authorizes the release to the public of papers filed in a formal proceeding upon the filing of formal charges.
- Judicial Administration: Rule 12 of the Texas Rules of Judicial Administration provides for public access to certain records made or maintained by a judicial agency in its regular course of business, *but not pertaining to its adjudicative function*. Commission records relating to

complaints, investigations, and its proceedings are not judicial records and are not subject to public disclosure pursuant to Rule 12.

When the Commission takes action on a complaint, whether dismissing it, issuing a private or public sanction, accepting a voluntary agreement to resign in lieu of disciplinary action, or instituting formal proceedings, the complainant is notified in writing. However, the Texas Government Code requires that the Commission omit the judge's name from the notice to the complainant unless a public sanction has been issued.

Additionally, the Constitution provides that in instances where issues concerning a judge or the Commission have been made public by sources other than the Commission, the Commission may make a public statement. In such a situation, the Commission determines whether the best interests of a judge or the public will be served by issuing the statement. No public statements were issued in fiscal year 2019.

THE COMPLAINT PROCESS

Introduction

Each complaint stating an allegation of judicial misconduct is thoroughly reviewed, investigated and analyzed by the Commission staff. Complaints must be filed with the Commission in writing. Complaints sent by fax or through e-mail are generally not accepted; however, complaints may be filed electronically through the agency's online portal.

Although it is not mandatory that a complainant submit his or her allegation on the Commission's complaint form, the specific information sought is essential to the efficient handling of a complaint. Complaint forms are available in English and Spanish from the following sources:

- Complete and submit electronically through the Commission's online portal at www.scjc.texas.gov/public-information/complaint-form.aspx or
- Telephone requests to the Commission at (512) 463-5533 or toll free at (877) 228-5750

The Commission may also initiate a complaint upon a media report, court documents, the internet or other sources. A complainant may request that the Commission keep his or her identity confidential. Additionally, the Commission accepts anonymous complaints.

After a complaint is filed, the Commission sends an acknowledgment letter to the complainant and staff begins its investigation and analysis of the allegations. Complainants may be asked to provide additional information or documents. As appropriate, staff conducts legal research and contacts witnesses. If the evidence obtained during the investigation calls for a response from the judge, an attorney will contact the judge to obtain a response to the allegations before presenting the matter to the Commission for consideration. When deemed appropriate by staff, an attorney or investigator may travel to the judge's county for further investigation and interviews.

When the investigation is completed, the case is presented to the Commission for its consideration. In some cases, the Commission may invite a judge, complainant, or other witnesses to appear and discuss the allegations. Based on the specific constitutional provisions, statutes and canons under which the Commission operates, it considers and votes on every complaint investigated by staff.

If the Commission chooses to issue a public sanction, an order describing the Commission's findings is prepared and distributed to the respondent judge, with a copy provided to the complainant. The order is then publicly disseminated to ensure public awareness. If the Commission votes to issue a private sanction, the appropriate order is prepared and tendered to the respondent judge, and the complainant is notified by letter of the Commission's action. Because the Commission is controlled by constitutional and statutory provisions that prohibit the release of information regarding investigation and resolution of a case, the only details released to the public are a summary of the operative facts of the matter posted on the Commission's website. However, in cases where a judge has voluntarily agreed to resign in lieu of disciplinary action, that agreement becomes public upon the Commission's acceptance of it, and the complainant is so notified.

Likewise, whenever the Commission suspends a judge after he or she has been indicted for a criminal offense, or charged with a misdemeanor involving official misconduct, the Commission releases the order of suspension and all records related to any post-suspension proceedings to the public.

Commission Decisions

Commission members review, deliberate and vote on each investigated complaint. This may result in a dismissal, a public or private order of additional education either alone or in combination with a public or private sanction, a public or private admonition, warning or reprimand, the acceptance of a voluntary agreement to resign from judicial office in lieu of disciplinary action, or formal proceedings for removal or retirement of the judge from the bench. If the judge appeals a decision of the Commission, the Texas Supreme Court randomly appoints three appellate judges to serve as a Special Court of Review. That Court's decision-making authority includes dismissal, affirmation of the Commission decision, imposition of a greater or lesser sanction, or the initiation of formal proceedings. The decision of the Special Court of Review is final and may not be appealed.

The Commission's decisions and actions in responding to allegations or complaints of judicial misconduct fall into one of the following categories:

1. Administrative Dismissal Report ("ADR")

A case is dismissed administratively when a complainant's writing fails to state an allegation which, if true, would constitute one or more of the following: (a) a willful or persistent violation of rules promulgated by the Supreme Court of Texas, (b) incompetence in performing the duties of the office, (c) willful violation of the Texas Code of Judicial Conduct, or (d) willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice. Generally, the fact that a judge made a legal error while ruling on a motion, an objection, the admission or exclusion of evidence, or in the ultimate outcome of the case, does not constitute judicial misconduct unless there is evidence of bad faith, persistent legal error, or the legal error was egregious. Only an appellate court has the power to review and change a judge's decision in any case. In addition, gratuitous claims of misconduct unsupported by any facts or evidence will often be administratively dismissed. These cases are dismissed following an initial review without an investigation. In letters of dismissal sent to these complainants, the Commission provides an explanation for the decision and provides Complainants the opportunity to have the Commission reconsider the decision to dismiss the case before investigation. Staff may grant a complainant's ADR reconsideration request, but only the Commission has the authority to deny an ADR reconsideration request.

2. Dismissal

The Commission may dismiss a case after conducting a preliminary or full investigation of the allegations. Reasons for these dismissals include insufficient or no evidence of misconduct,¹ the judge demonstrated that he or she took appropriate actions to correct the conduct at issue, or the conduct, though problematic, did not rise to the level of sanctionable misconduct. In letters of dismissal sent to these complainants, the Commission provides an explanation for the dismissal, and describes the steps the complainant may take for the Commission to reconsider its decision. The Commission may also include cautionary advice to judges whose complaints have been dismissed after the judge has taken appropriate

¹ In contrast to cases dismissed administratively following an initial review, cases dismissed following a preliminary investigation in which it was determined that there was no evidence of judicial misconduct are classified as "frivolous" pursuant to Section 33.022 of the Texas Government Code.

corrective action or in those cases where disciplinary action was deemed unwarranted given the facts and circumstances surrounding the alleged infraction.

3. Order of Additional Education

Legal and procedural issues are often complex, so it is not surprising that some judges take judicial action beyond their authority or contrary to procedural rules. In these situations, the Commission may conclude that the judge has demonstrated a deficiency in a particular area of the law, warranting an order of additional education. The Commission then coordinates the assignment of a mentor judge for one-on-one instruction with the judge, to be completed within a specified time on particular subjects. The mentor judge then reports to the Commission on the respondent judge's progress. The Commission may also order the judge to obtain education on other issues, such as anger management, gender or racial sensitivity, or sexual harassment. The Commission may issue an order of additional education alone or as part of a private or public sanction.

4. Private or Public Sanction

The Commission issues disciplinary sanctions when a preponderance of evidence supports a finding of judicial misconduct. The most severe disciplinary action available to the Commission is a *public censure*, which may be issued only after formal proceedings have been initiated by the Commission. If, after a public fact-finding trial, the Commission determines that the underlying allegations of the complaint are true but do not support a recommendation for removal from office, a *censure* may be issued as a public denunciation of the judge's conduct. Alternatively, the Commission may also issue a public reprimand, warning, or admonition following a formal proceeding.

The next most severe sanction is a *public reprimand*. A *reprimand* is the most severe sanction available to the Commission at the informal stage of disciplinary proceedings. A less severe sanction is a *public warning*, followed by a *public admonition*. A *warning* puts the judge on notice that the actions identified in the sanction are improper. An *admonition* is the lowest level of sanction.

A judge may appeal any sanction or public censure to a Special Court of Review. The process for appealing a public censure, reprimand, warning or admonition issued by the Commission after formal proceedings is different than that of a *de novo* review of a sanction issued after informal proceedings.

If a *public sanction* or *censure* is issued, all information considered by the Commission, including the judge's name, is made public. Public sanctions are issued not only to identify the specific conduct, but to educate judges that such conduct is inappropriate. This also ensures that the public is made aware of actions that violate the Code of Judicial Conduct. When the Commission elects to issue a *private sanction*, the judge's name and all information considered by the Commission remain confidential.

5. Suspension

The Commission has the power to suspend a judge from office, with or without pay, after the judge has been either indicted by a grand jury for a felony, or charged with a misdemeanor involving official misconduct. In these cases, the suspended judge has the right to a post-suspension hearing before one or more of the Commission members or the Executive Director, as designated by the Commission Chair.

In cases other than formal criminal charges, the Commission, upon the filing of a sworn complaint and after giving the judge notice and an opportunity to appear before the Commission, may recommend to the Supreme Court of Texas that a judge be suspended from office, with or without pay, for persistent violation of rules promulgated by the Supreme Court, incompetence in performing the duties of office,

willful violation of the Code of Judicial Conduct, or willful and persistent conduct that is clearly inconsistent with the proper performance of his or her duties, or that casts public discredit on the judiciary or the administration of justice.

6. Voluntary Agreement to Resign

In some cases, a judge subject to a Commission investigation may decide to resign in lieu of disciplinary action. In that event, the judge may tender to the Commission a voluntary agreement to resign from judicial office. Upon the Commission's acceptance, the agreement is made public and the judge vacates the bench. The agreement and any agreed statement of facts relating to it are admissible in subsequent proceedings before the Commission. While the agreement, including any documents referenced in the agreement, is public, any other records relating to the underlying case remain confidential and are only released to the public if the judge violates a term of the agreement.

7. Formal Proceedings

In certain circumstances, the Commission may decide that a complaint against a judge is so egregious that it should be handled and resolved through a formal proceeding. The Commission itself may conduct such a fact-finding hearing, or it may request the Supreme Court of Texas to appoint a Special Master (who must be a sitting or retired district or appellate judge) to hear the matter. Such proceedings are governed by the Texas Rules of Civil Procedure and the Texas Rules of Evidence to the extent practicable.

Although there is no right to a trial by jury in a formal proceeding, the judge is afforded certain other rights in a formal proceeding under the Texas Procedural Rules for the Removal or Retirement of Judges, including the following:

- to be confronted by the judge's accusers
- to introduce evidence
- to be represented by counsel
- to examine and cross-examine witnesses
- to subpoena witnesses
- to obtain a copy of the reporter's record of testimony

If the formal proceeding has been conducted before a Special Master, he or she reports the findings of fact to the Commission. If either party files objections to the Master's Report, the Commission will hold a public hearing to consider the report of the Special Master and any objections. The Commission may adopt the Special Master's findings in whole or in part, modify the findings, totally reject them and enter its own findings, or order a hearing for the taking of additional evidence.

After adopting findings of fact, the Commission issues its conclusions of law. The Commission may dismiss the case, issue a public censure, reprimand, warning or admonition, or recommend removal or involuntary retirement to a seven-member Review Tribunal appointed by the Supreme Court of Texas. The Commission itself cannot remove a judge; only the Review Tribunal can order a judge removed from the bench. The Review Tribunal may also enter an order prohibiting the judge from ever holding a judicial office again.

Although the Commission’s recommendation for removal cannot be appealed, the judge may appeal the decision of the Review Tribunal to the Texas Supreme Court. A judge may also appeal the Commission’s decision to issue a public censure or sanction to a Special Court of Review.²

Appellate Review of Commission Action

A judge may appeal the Commission’s issuance of any public or private sanction, order of additional education, or public censure within thirty days of the date the Commission issues the sanction by filing a written notice with the Chief Justice of the Supreme Court of Texas and requesting the appointment of three appellate justices to act as a Special Court of Review.

Within fifteen days after the Special Court of Review is appointed, the Commission, through its Examiner, must file with the Clerk of the Texas Supreme Court a “charging document,” which includes a copy of the sanction issued, as well as any additional charges to be considered in the *de novo* proceeding.³ These records become public upon filing with the Clerk, who is responsible for furnishing a copy to the petitioning judge and to each justice on the Special Court of Review.

In an appeal of a sanction issued following the informal proceeding stage, a trial *de novo* is scheduled within thirty days after the charging document is filed. The Special Court of Review considers the case from the beginning, as though it were standing in the place of the Commission (though the Special Court of Review is made aware of the Commission’s decision). The Texas Rules of Civil Procedure apply, insofar as practicable, except that the judge is not entitled to a jury trial. All documents filed and evidence received in the review process are public.

The Special Court of Review may dismiss or affirm the Commission’s decision, impose a greater or lesser sanction, or order the Commission to file formal proceedings against the subject judge for removal or involuntary retirement. The decision of the Special Court of Review is final and cannot be appealed.

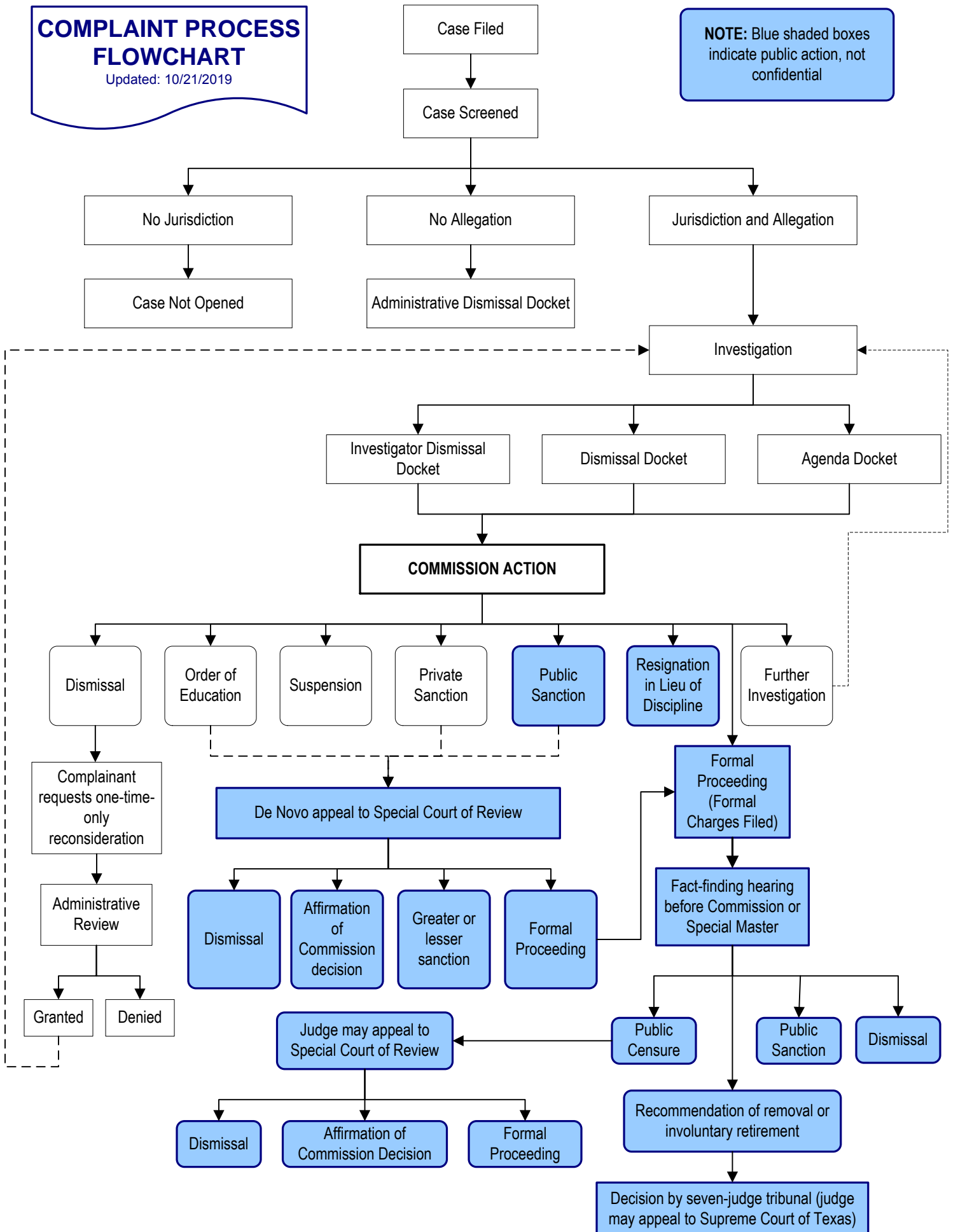
² In 2009, Section 33.034 of the Texas Government Code was amended to provide judges the right to appeal a public censure issued by the Commission following a formal proceeding. In 2013, Section 33.034 was amended further to provide the right to appeal a public reprimand, warning, or admonition issued after a formal proceeding. The Texas Supreme Court has been charged with the responsibility of drafting the procedural rules that will govern this process.

³ Sanctions issued in the informal proceeding stage may be reviewed in a trial *de novo*, in the same way that a case tried in a justice court may be appealed to a county court. By contrast, the appeal of a sanction or censure issued following a formal proceeding is a “review of the record of the proceedings that resulted in the sanction or censure and is based on the law and facts that were presented in the proceedings and any additional evidence that the Special Court of Review in its discretion may, for good cause shown, permit.” *See* Section 33.034(e)(1), Texas Government Code.

COMPLAINT PROCESS FLOWCHART

Updated: 10/21/2019

NOTE: Blue shaded boxes indicate public action, not confidential



STATISTICAL ANALYSIS

An outline of the statistical activity for the Commission through the end of fiscal year 2019 is shown in **Table 1** immediately following this section. Tables 2 and 3 illustrate the types of dispositions made by the Commission including the type of discipline issued. Graphic representations of the data are also presented in **Figures 1** through **7** to further illustrate the activities of the Commission.

According to Office of Court Administration records, approximately 4,246 judges were under the jurisdiction of the Commission in fiscal year 2019, (a 12% increase from fiscal year 2018 – 3,781.)

Figure 1 illustrates the Texas judiciary by the number of judges in each category. **Figure 2** shows the number and percentage of cases filed with the Commission by judge type. **Figure 3** shows the number of complaints resulting in disciplinary action by the Commission against each judge type. **Figure 4** shows the number of cases disposed of by type of complainant in fiscal year 2019.

In fiscal year 2019, the Commission took action in 80 cases involving Texas judges. The Commission disposed of 69 cases through public sanction, private sanction, orders of additional education or a combination of a sanction with an order of additional education. Four cases were resolved by voluntary agreements to resign from judicial office. The Commission issued 4 orders of suspension and instituted formal proceedings against 3 judges in fiscal year 2019.

Figures 5a and 5b show the total number of cases filed with and disposed by the Commission between fiscal years 2014 and 2019. In fiscal year 2019, the Commission opened 1,849 cases – a 16% increase over the number of filings in fiscal year 2018, and a 62% increase over the number of filings in fiscal year 2014. The Commission disposed of 1,694 cases in fiscal year 2019, representing a 2% increase in dispositions over fiscal year 2018. With 1,849 complaints received and 1,694 dispositions, the Commission's disposition rate for fiscal year 2019 was 92%.

A comparison of public discipline, private discipline and interim actions taken by the Commission in fiscal years 2016 through 2019 is shown in **Figures 6a** and **6b**.

Of the 1,694 cases closed in fiscal year 2019, 31 were dismissed with language advising the judge about technical or *de minimus* violations, or violations of aspirational canons, and cautioning the judge to avoid similar conduct in the future. Additionally, 5 cases were dismissed after the judge demonstrated that he or she took appropriate measures to correct conduct that resulted in an investigation. Approximately 52% of the cases closed in fiscal year 2019 alleged no judicial misconduct. The percentage (35%) of cases closed following a preliminary investigation rose in 2019 relative to 2018. Meanwhile, the number (219) and percentage (13%) of full investigations requiring a response from the judge was lower in fiscal year 2019 relative to 2018 by 2%. A comparison of initial, preliminary and full investigations conducted by the Commission in fiscal years 2016 through 2019 is shown in **Figures 7a** and **7b**.

Figure 8 illustrates the percentage of cases that the Commission received through its website portal (which was activated in mid-2016), for fiscal years 2017 through 2019. Figure 9 shows dispositions with the corresponding type of court case for fiscal years 2018 and 2019.

In compliance with Section 33.005 of the Texas Government Code, the chart on **Table 2** provides a breakdown of the dispositions of the 1,694 cases closed during fiscal year 2019, including the number of cases dismissed following preliminary investigation with a determination that the allegation was

frivolous or unfounded, or because the facts alleged did not constitute judicial misconduct or the evidence did not support the allegation of judicial misconduct. **Table 3** shows, in order of prevalence, the types of allegations or canon violations that resulted in disciplinary action during fiscal year 2019.

In fiscal year 2019, the Commission addressed three appeals of its sanctions through the Special Court of Review process set forth in Section 33.034 of the Texas Government Code. In all, three judges invoked their statutory right to have a three judge panel engage in a *de novo* review of the Commission's sanctions. Of the three Special Courts of Review requested during fiscal year 2019, one was withdrawn before the final hearings were held (thereby reinstating the Commission's respective sanctions). Of the two Special Court of Review proceedings that went to final hearing:

- a Special Court of Review affirmed the Commission's issuance of two Public Reprimands.
- and one appeal remains pending with the Special Court of Review.

During fiscal year 2019, the Commission did not refer any complaints against judges to law enforcement. At the end of fiscal year 2019, the Commission had forty open cases which were pending for a year or more, in which no tentative sanction had been issued.

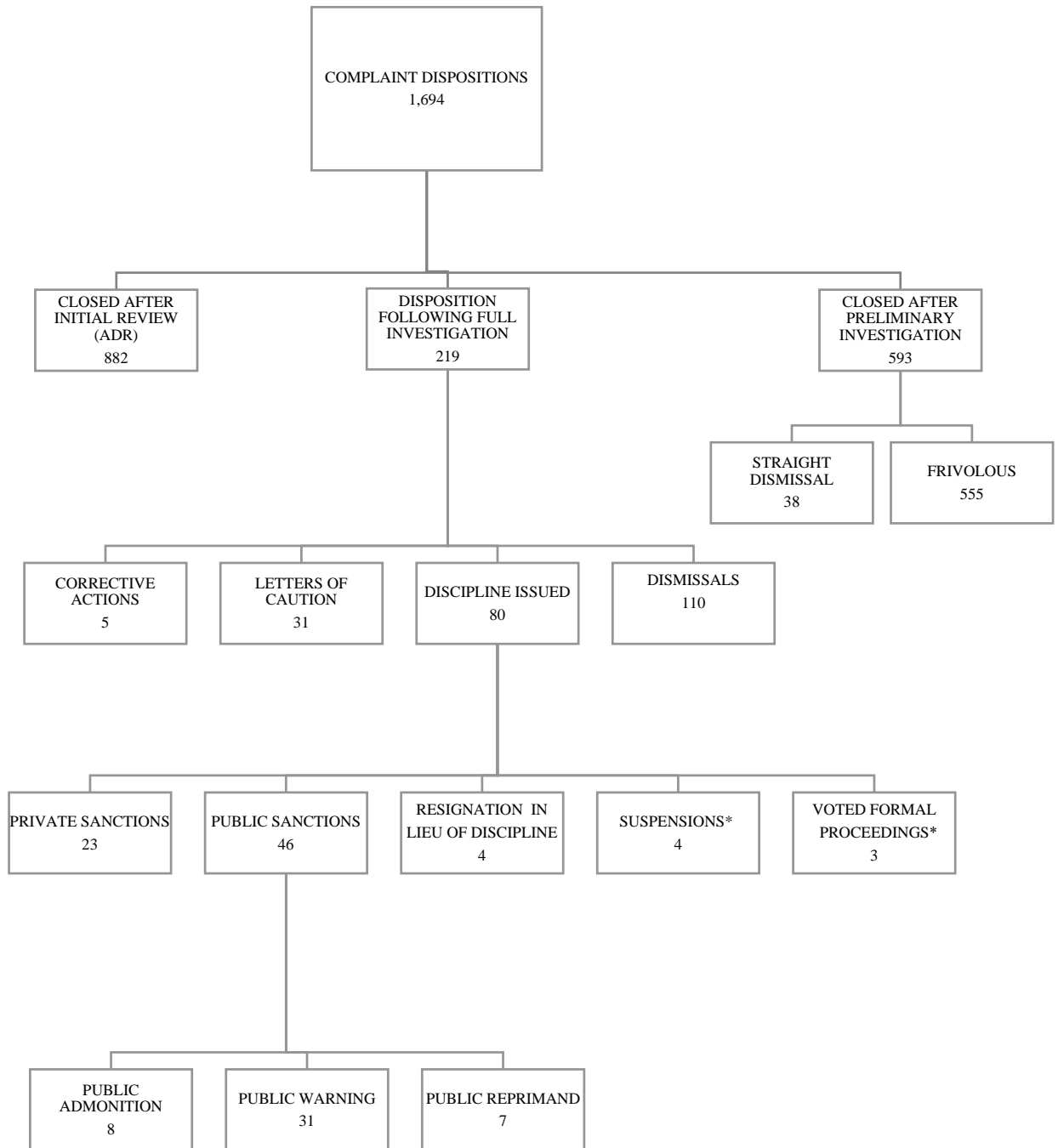
Finally, the Commission receives hundreds of pieces of mail every year that do not pertain to the conduct of Texas judges. In fiscal year 2019, at least 700 people wrote to the Commission complaining of individuals or entities that were outside of the Commission's jurisdiction. When possible, those complainants were provided additional written information and referred to other resources to help them resolve their concerns.

Table 1: Commission Activity

Item	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Cases Pending (Beginning FY/Ending FY)	650/477	477/625	625/827	827/768	768/806
Cases Filed	1066	1193	1535	1593	1849
Total Number of Cases Disposed	1245	1050	1333	1661	1694
% of Cases Disposed/Filed	116.79%	88.24%	86.84%	104.26%	92%
Average Age of Case Disposed (in months)	6.9	5.9	6.02	6.33	6.06
Disciplinary Action* (total)	96	69	62	84	80
Cases Disposed through:					
Review Tribunal Order	0	0	0	0	0
Voluntary Agreement to Resign in Lieu of Disciplinary Action	14	11	11	7	4
Public Sanction					
Censure	0	0	0	0	0
Reprimand	25	10	2	6	4
Reprimand and Order of Add'l Education	12	1	22	23	3
Warning	1	0	1	1	26
Warning and Order of Add'l Education	0	7	1	6	5
Admonition	7	0	0	7	8
Admonition and Order of Add'l Education	4	6	0	4	0
Order of Add'l Education	0	0	0	0	0
Private Sanction					
Reprimand	9	2	1	2	7
Reprimand and Order of Add'l Education	5	8	3	2	4
Warning	1	5	3	7	4
Warning and Order of Add'l Education	2	6	8	12	4
Admonition	5	4	4	7	3
Admonition and Order of Add'l Education	6	4	3	2	1
Order of Add'l Education	0	2	3	4	0
Interim Disciplinary Action (total)					
Order of Suspension [15(a)]	5	2	1	6	4
Recommendation of Suspension to Supreme Court [15(b)]	0	1	1	1	0
Cases in Formal Proceedings	0	0	1	1	3
Dismissals (ADRs)	1154	981	1282	1571 (870)	1626 (883)
Dismissed – Judge Disqualified because of Criminal Conviction	0	2	0	0	1
Requests for Reconsideration Received (Dismissal)	52	28	23	59	46
Reconsideration Granted/Denied	0/53	2/24	1/25	1/58	2/44
Pending	0	2	1	0	0
Requests for Reconsideration Received (ADR)	n/a	n/a	29	191	95
Reconsideration Granted/Denied	n/a	n/a	1/28	1/190	2/93
Pending	n/a	n/a	0	0	0
Cases Appealed to Special Court of Review	6	0	2	7	3
Informal Hearings held	17	13	18	24	36
Public Statements Issued	0	0	0	0	0

*Disciplinary Action includes orders of suspension, recommendations of suspension to the Supreme Court, and cases voted formal proceedings.

**TABLE 2
2019 COMPLAINTS
DISPOSITIONS**



**Not a final disposition.*

**TABLE 3 – TYPES OF CONDUCT RESULTING IN DISCIPLINE IN
FISCAL YEAR 2019**

The types of conduct are listed in order of prevalence. The numbers indicate the number of times each type of conduct resulted in discipline. A single act of misconduct was counted once and assigned to the category most descriptive of the misconduct. If multiple types of misconduct were involved in a single case, each different type of conduct was counted and assigned to the appropriate category. However, if the same type of conduct occurred on multiple occasions in a single case, it was counted only once.

Failed to Comply with Law
[16]

Incompetence
[15]

*Willful or Persistent
Conduct Cast Public
Discredit upon the
Judiciary*
[13]

Improper Demeanor
[6]

Using Prestige of Judicial Office
[10]

*General Bias/
Prejudice*
[4]

*Bias/Prejudice Based
on Protected Class*
[1]

*Extra-Judicial Conduct
(Financial and Nonfinancial)
Raised Doubts about Judge's
Impartiality/Interfere's with
Judicial Activities*
[2]

*Improper Ex Parte
Communications*
[2]

Right to be Heard
[4]

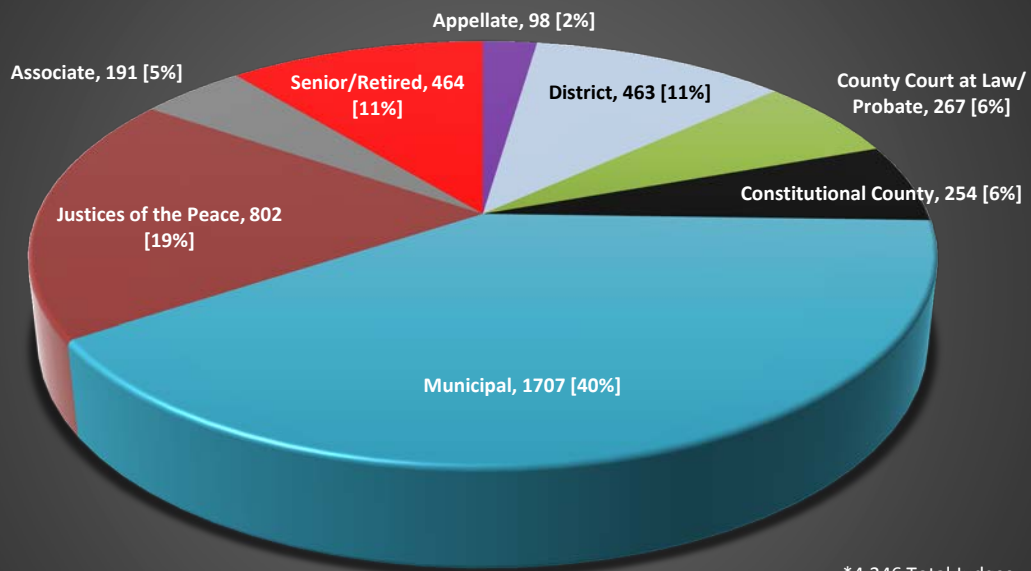
Recusal/Disqualification
[4]

*Failure to Hear Assigned Matters/
Timely Execute the Business of the Court*
[3]

*Swayed by Partisan
Interests*
[1]

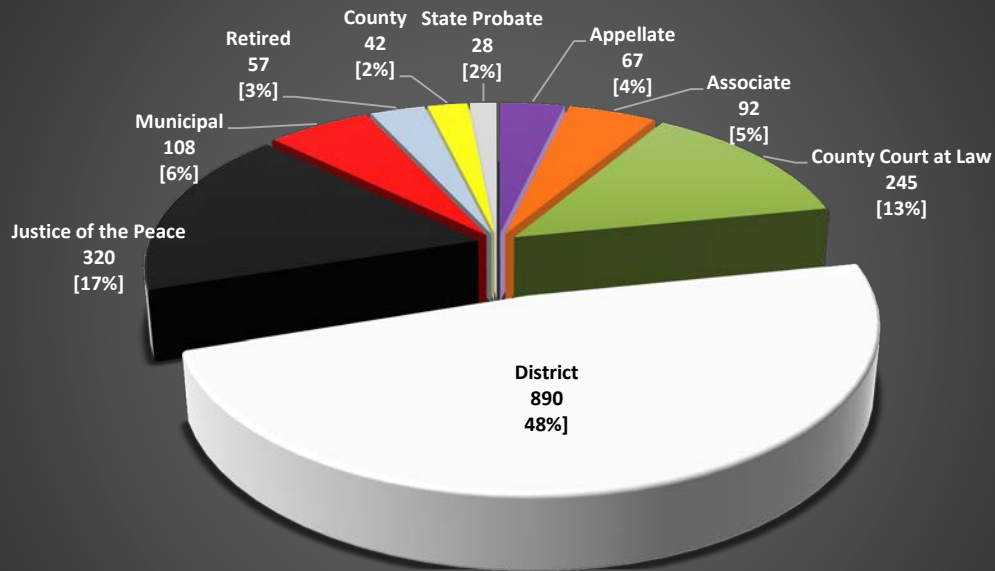
*Authorize Name
to Endorse Candidate*
[5]

Fig. 1 Total Number of Texas Judges*



*4,246 Total Judges
 Source: Texas Office of Court Administration, 10/17/19

Fig 2. Number and Percentage of Cases Filed by Judge Type*



*1,849 Total Complaints Filed

Fig. 3 Number and Percentage of Disciplinary Actions by Judge Type*

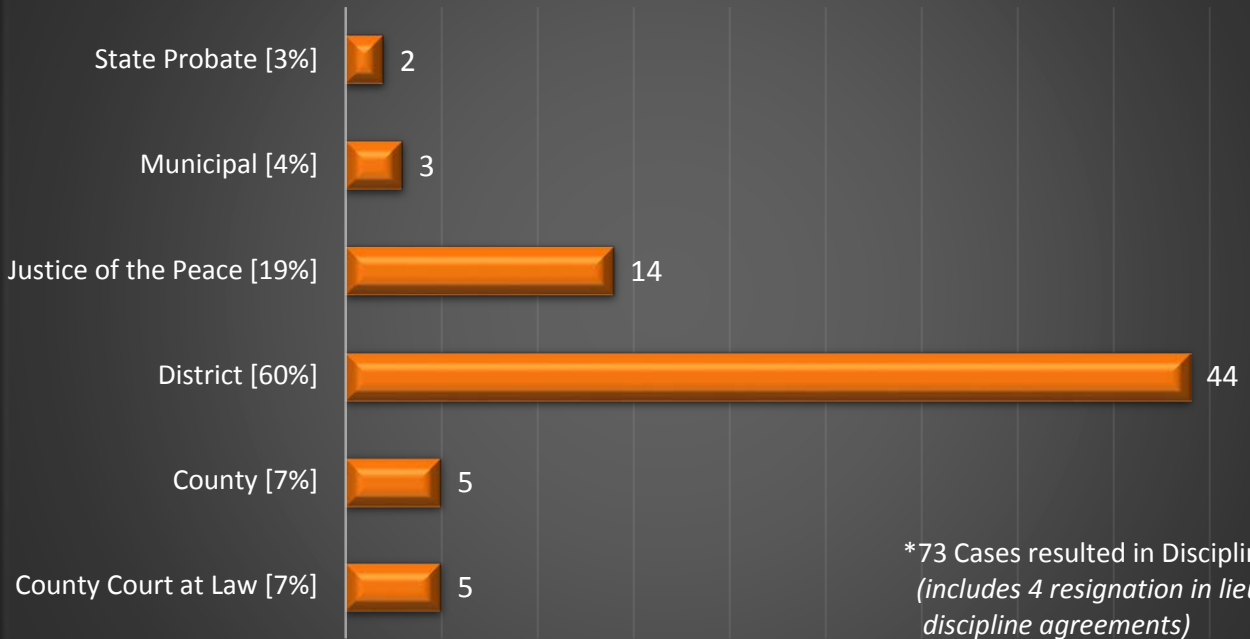


Fig. 4 Number and Percentage of Cases Disposed by Complainant Type*

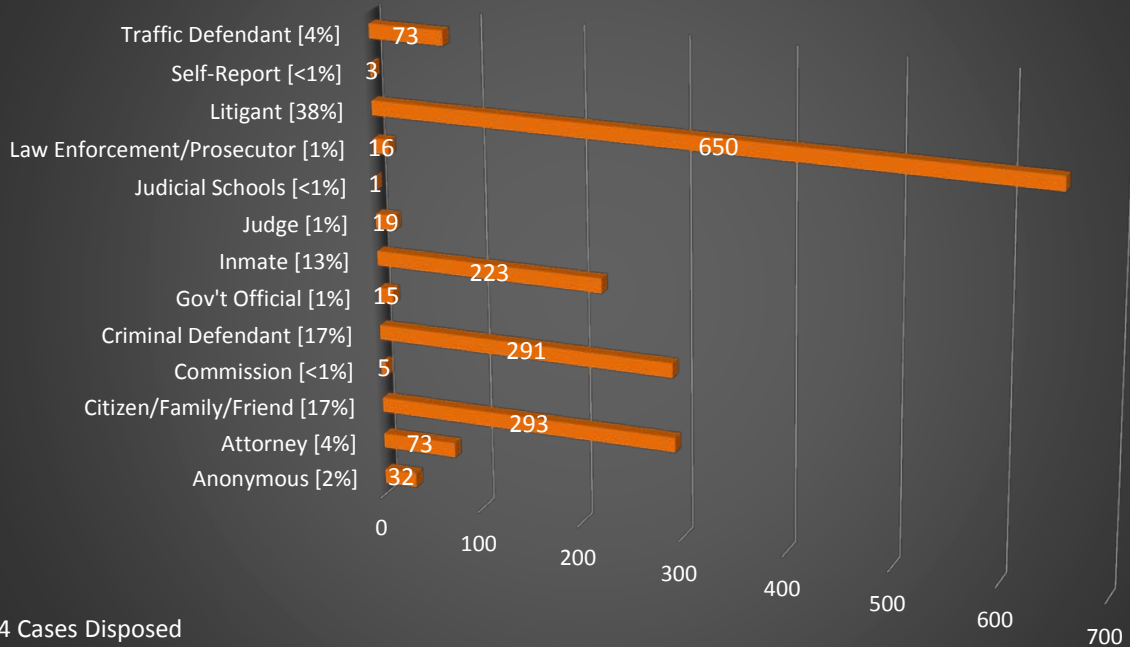


Fig. 5a Cases Filed and Disposed (FY14 - FY19)

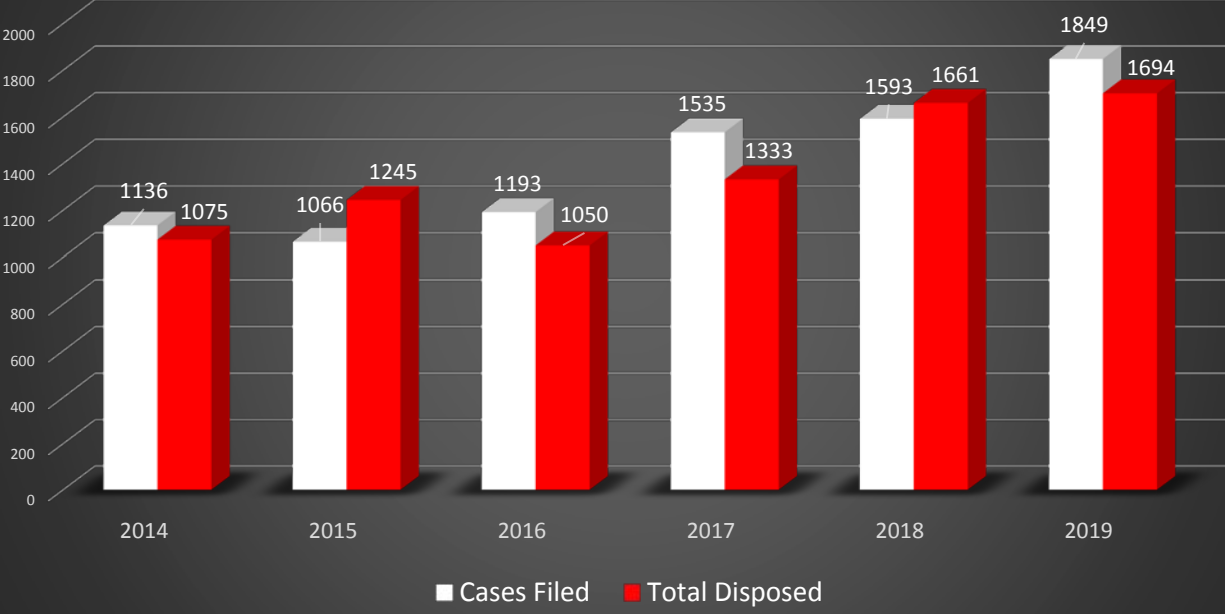


Fig. 5b Cases Filed and Disposed Trend (FY14 - FY19)

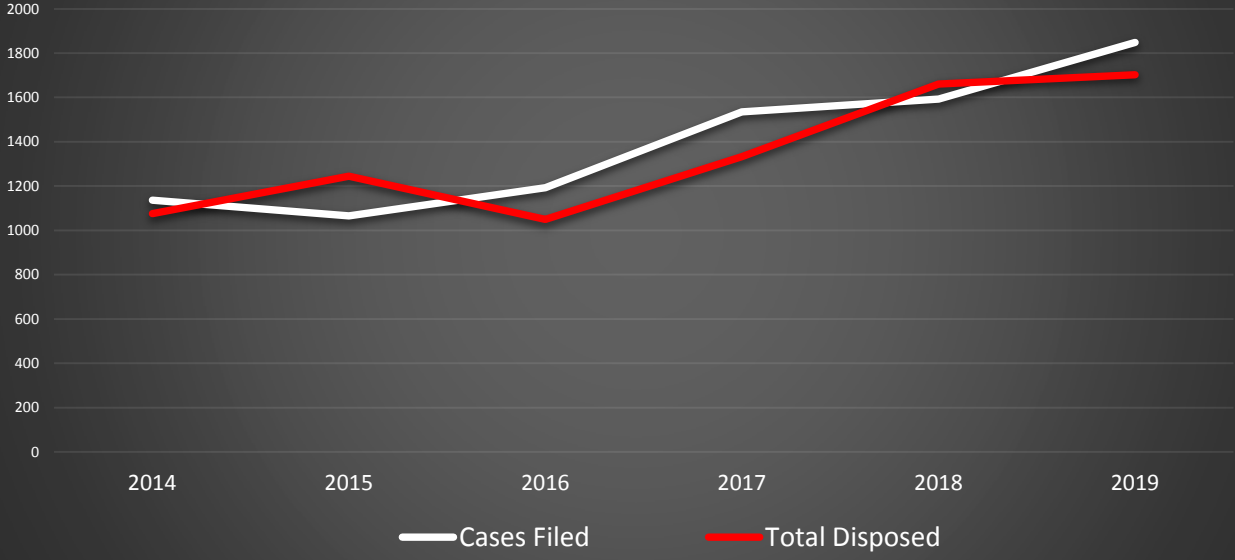
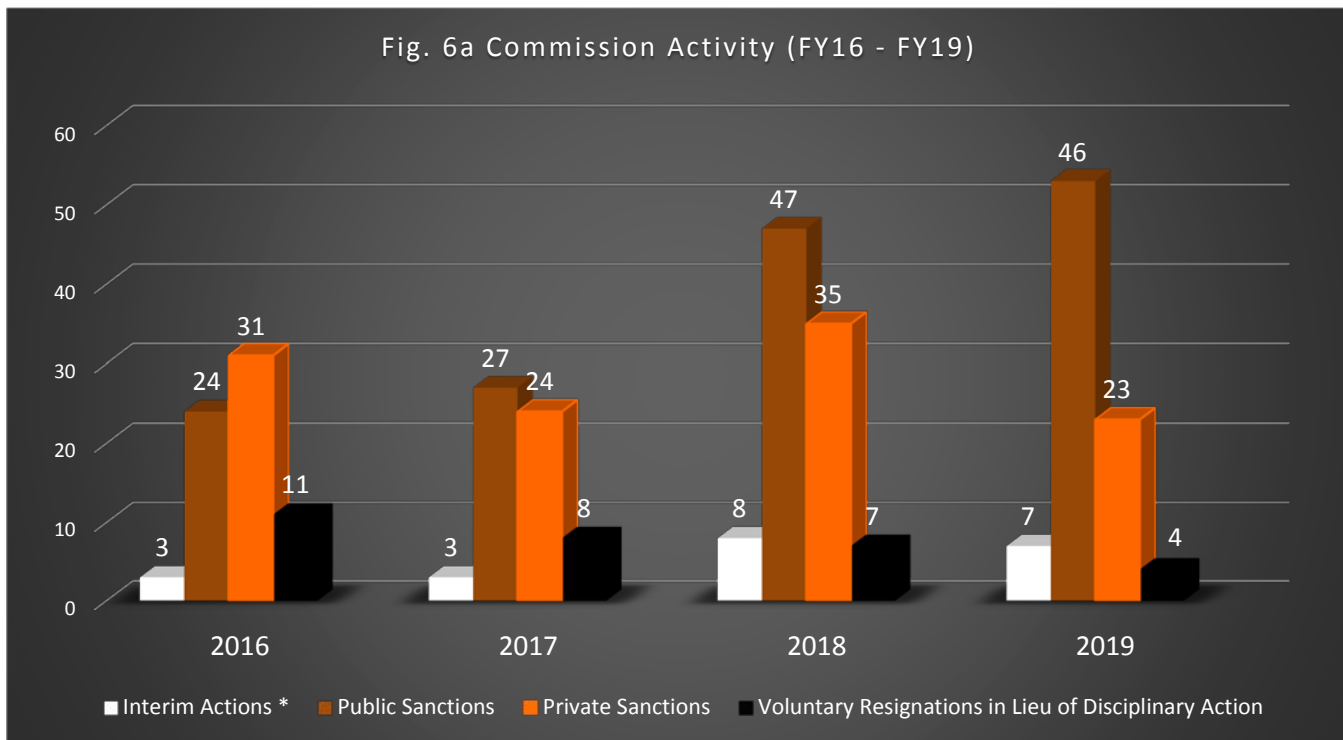


Fig. 6a Commission Activity (FY16 - FY19)



**Interim Actions include: Orders of Suspension, Recommendations of Suspension to Supreme Court, and Formal Proceedings Voted.*

Fig. 6b Commission Activity Trend (FY16 - FY19)

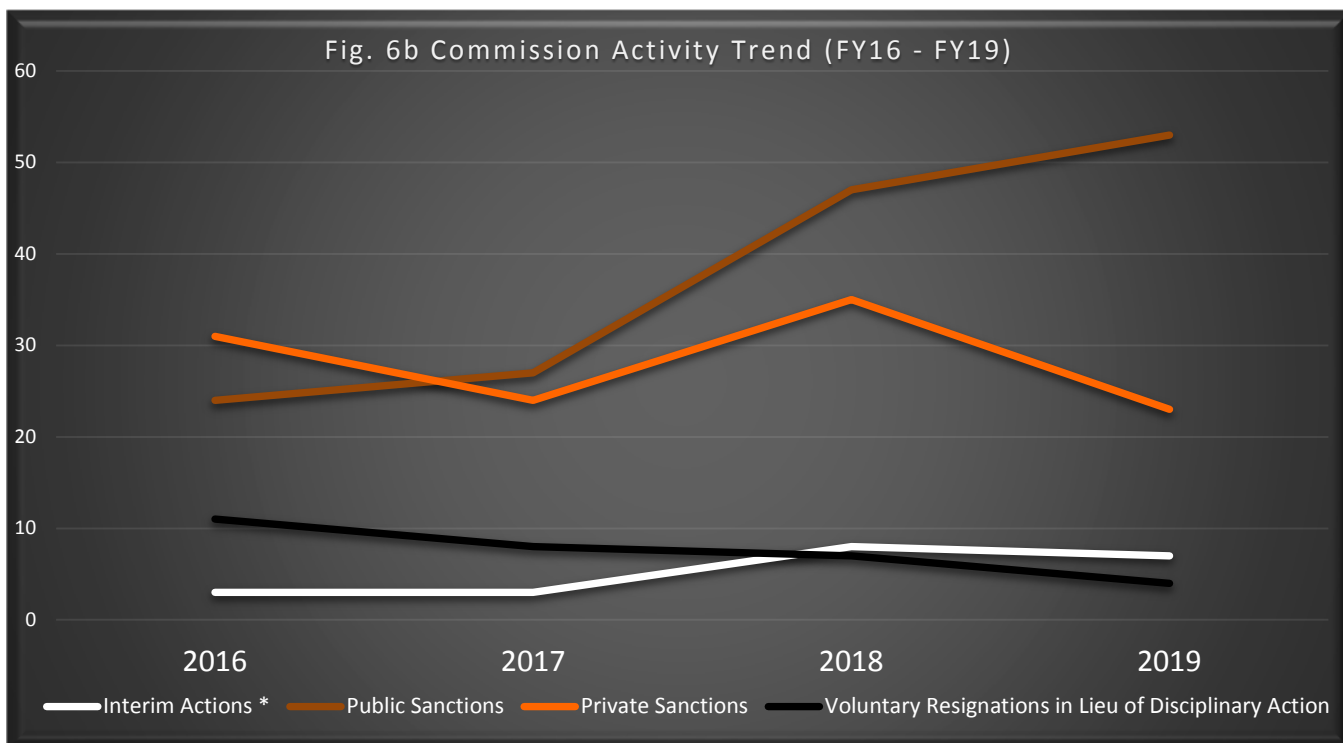


Fig. 7a Comparison of Investigations by Type (FY16 - FY19)

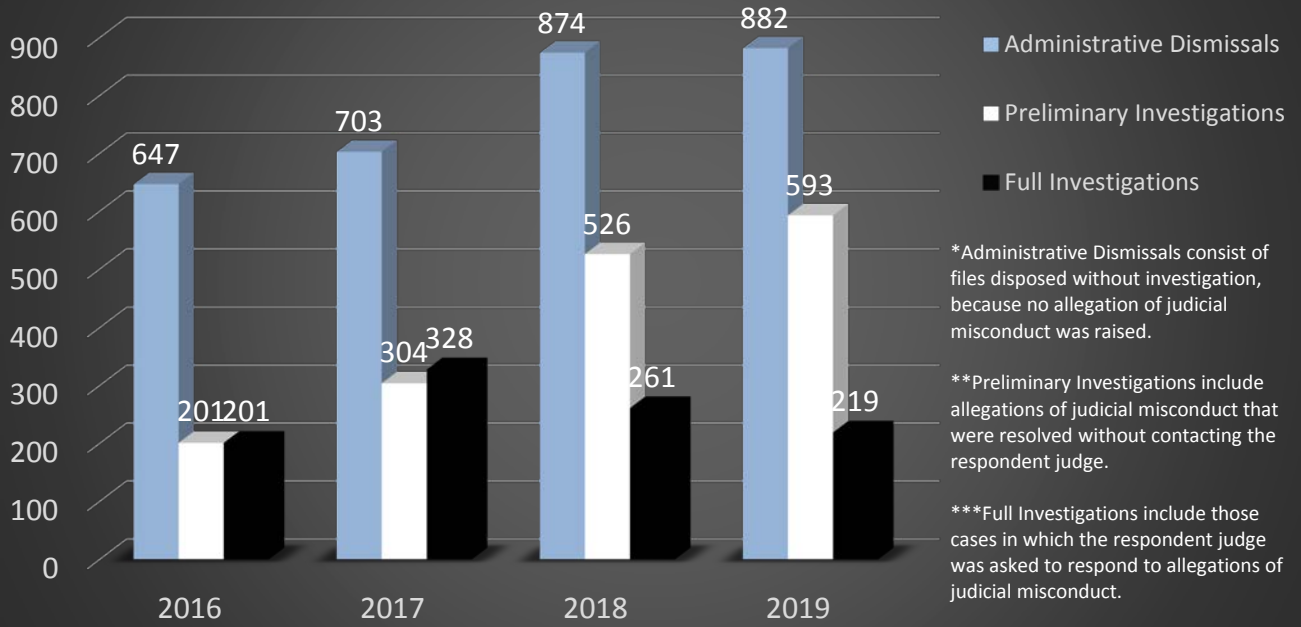


Fig. 7b Comparison of Investigations by Type Trend (FY16 - FY19)

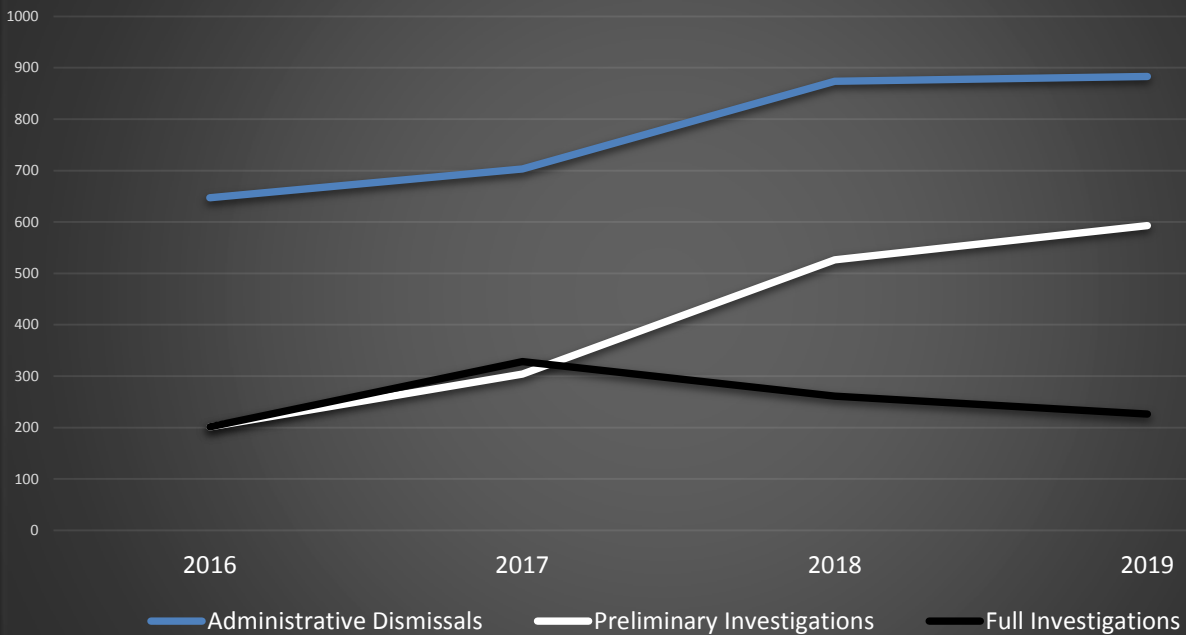


Fig. 8 Number and Percentage of Complaints Filed Online

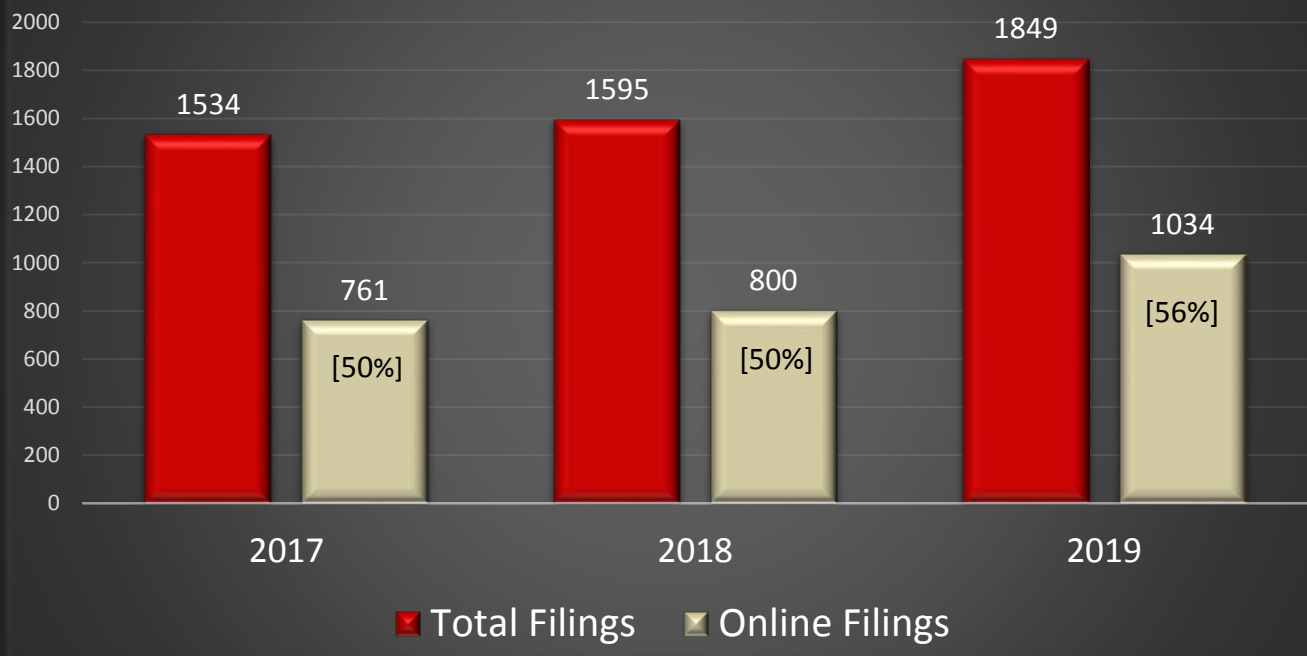
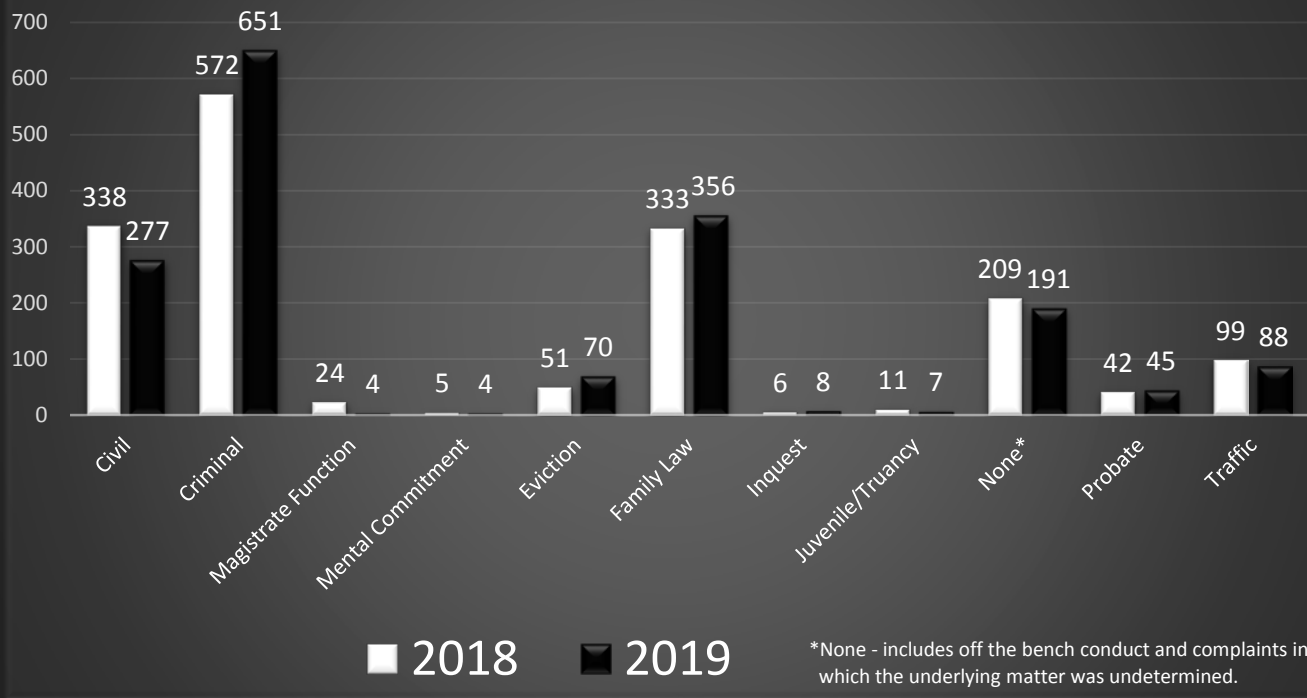


Fig. 9 FY18 & FY 19 Dispositions by Case Type



EXAMPLES OF IMPROPER JUDICIAL CONDUCT

The following are examples of judicial misconduct that resulted in disciplinary action by the Commission in fiscal year 2019. These are illustrative examples of misconduct, and do not represent every disciplinary action taken by the Commission in fiscal year 2019. The summaries below are listed in relation to specific violations of the Texas Code of Judicial Conduct, the Texas Constitution, and other statutes or rules. They are listed in no particular order of severity of the disciplinary action imposed, and may involve more than one violation. The full text of every public sanction is published on the Commission website. A copy of any public record relating to any public sanction may also be requested by contacting the Commission.

These sanction summaries are provided with the intent to educate and inform the judiciary and the public regarding misconduct that the Commission found to warrant disciplinary action in fiscal year 2019. The reader should note that the summaries provide only general information and may omit mitigating or aggravating facts the Commission considered when determining the level of sanction to be imposed. Additionally, the reader should not make any inference from the fact situations provided in these summaries.

It is important to remember that the purpose of judicial discipline is not solely to punish a judge for engaging in misconduct, but to protect the public by making clear that the Commission does not condone judicial conduct that violates the public trust. However, the reader should note that not every transgression reported to the Commission will result in disciplinary action. The Commission has broad discretion to determine whether disciplinary action is appropriate, and the degree of discipline to be imposed. Factors such as the seriousness of the transgression, whether there is a pattern of improper activity, and the effect of the improper activity on others or on the judicial system, will inform and impact the Commission's decision in each case. It is the Commission's sincere desire that providing this information will protect and preserve the public's confidence in the competence, integrity, impartiality and independence of the judiciary and further assist the judiciary in establishing, maintaining and enforcing the highest standards of conduct – both on the bench and in their personal lives.

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.

- The judge failed to comply with the law and maintain competence in the law when her policy and practice with respect to court files was to require public information requests before they could be accessed. The judge failed to treat a defendant with patience, dignity, and courtesy, when she refused to allow him to review and copy the charging documents in the cases against him unless and until he entered a plea. [Violations of Canons 2A, 3B(2), 3B(4) of the Texas Code of Judicial Conduct.] *Public Warning and Order of Additional Education of a Municipal Court Judge.* 8/08/19.
- The judge failed to follow the law and exhibited incompetence in the law when he knowingly pulled traffic citations that were pending in his court for the purpose of having an assistant district attorney

file motions to dismiss the cases and/or provide other preferential treatment. [Violations of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Public Reprimand and Order of Additional Education of a Justice of the Peace.* 4/26/19.

- The judge failed to comply with the law when he took nude photos of his wife without her knowledge or consent, and transmitted the photos by text message to someone with whom he was having an extra-marital affair. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Reprimand of a District Court Judge.* 2/12/19.
- The judge failed to comply with the law and failed to maintain professional competence in the law when he issued a contempt order against a litigant and incarcerated her for twenty-four hours for failing to pay guardian ad litem and attorney's fees. [Violations of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a District Court Judge.* 4/24/19.

CANON 2B: A judge shall not allow any relationship to influence judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge.

- The judge lent the prestige of his office to advance the private interest of another when he delayed in the appointment of a prosecutor pro tem for over fifteen months. The judge further exhibited incompetence in the law by not recusing himself in a timely manner despite having a personal and financial relationship with the defendant. [Violations of Canons 2B, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct.] *Public Warning of a County Judge.* 7/16/19.
- The judge failed to follow the law, exhibited incompetence in the law, and lent the prestige of judicial office to advance the private interests of another, when she contacted a local police department and preemptively suggested to the dispatcher that law enforcement should “hook up” or “retain” an individual if he was rude or disrespectful to them. [Violations of Canons 2A, 2B and 3B(2) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a Municipal Court Judge.* 12/14/18.
- The judge misused government resources and lent the prestige of judicial office to advance the private interests of another when he directed his court coordinator to forward an invitation to a campaign fundraising event for another candidate to an attorney, with an email requesting that attorney distribute the invitation to his mailing list. [Violations of Canons 2A and 2B of the Texas Code of Judicial Conduct.] *Private Warning of a County Statutory Probate Court Judge.* 8/8/19.

CANON 3B(4): A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity, and should require similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control.

- The judge's course of conduct throughout the entire proceeding showed a deep-seated antagonism for the father in a parental termination case and violated the father's constitutional right to a fair trial. The judge failed to treat the father with patience, dignity and courtesy by characterizing his trial testimony as “ridiculous” and “crap” and threatening him with prosecution for perjury. The judge's impartiality was compromised and he should have voluntarily recused himself from the matter. [Violations of

Canons 3B(1), 3B(4) and 3B(5) of the Texas Code of Judicial Conduct.] *Public Admonition of a District Court Judge*. 7/16/19.

- The judge exhibited improper demeanor towards her staff when she made numerous inappropriate comments to subordinates in which she used profanity, vulgar language, and made sexual references. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Retired Justice of the Peace*. 4/3/19.
- The judge failed to treat court personnel with patience, dignity and courtesy by sending several text messages containing inappropriate and offensive language. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of an Associate Magistrate Court Judge*. 8/8/19.
- The judge failed to treat individuals with whom she dealt in an official capacity with patience, dignity and courtesy, on a number of different occasions. Further, the judge attempted to pressure a witness regarding her statement to the Commission and retaliated against another witness for cooperating with the Commission's investigation, in a manner that was clearly inconsistent with the proper performance of her duties. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning and Order of Additional Education of a District Court Judge*. 8/22/19.

CANON 3B(1): A judge shall hear and decide matters assigned to the judge except those in which disqualification is required or recusal is appropriate.

- The judge failed to follow the law, decided matters in which her disqualification was required, and exhibited incompetence in the law, when she failed to disqualify herself from, and entered orders of dismissal in, three criminal cases against a family member. [Violations of Canons 2A, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a Justice of the Peace*. 4/3/19.

CANON 3B(8): A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. A judge shall not initiate, permit, or consider *ex parte* communications . . .

- The judge failed to comply with the law and denied parties their right to be heard according to law through his practice of barring entry and egress into the courtroom during docket calls. [Violations of Canons 2A and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Court Judge*. 12/6/18.
- The judge failed to comply with the law, failed to maintain professional competence in the law, and denied a party's right to be heard when he failed to timely address the party's request for a court-appointed attorney. Further, the judge's practice of encouraging defendants who requested counsel to first negotiate with the prosecution was clearly inconsistent with the proper performance of his duties, and cast public discredit upon the judiciary and administration of justice. [Violations of Canons 2A, 3B(2) and 3B(8) 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*. 4/24/19.
- The judge failed to be patient, dignified and courteous to litigants and witnesses. Further, the judge denied a litigant's right to be heard by issuing an order giving temporary custody of her daughter to

grandparents who had not filed pleadings in the case. [Violations of Canons 3B(4) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of an Associate Judge*. 8/26/19.

CANON 4A(1): A judge shall conduct all of the judge’s extra-judicial activities so that they do not cast reasonable doubt on the judge’s capacity to act impartially as a judge.

- The judge cast reasonable doubt on his capacity to act impartially as a judge, when he made a post on a company’s Facebook page that included an expletive. [Violation 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 of a District Court Judge*. 10/18/18.

CANON 5(2): A judge shall not authorize the use of his or her name endorsing another candidate for any public office.

- A judge lent the prestige of his judicial office to advance the private interest of a candidate for commissioners court by allowing a photo to be posted on the judge’s Facebook page. The photo depicted the judge standing behind a campaign sign for the candidate and giving a thumbs up. The Judge’s actions constituted an improper public endorsement of the candidate for public office. [Violations of Canons 2B and 5(2) of the Texas Code of Judicial Conduct.] *Public Warning of a County Judge*. 4/3/19.

ARTICLE V, §1-a(6)A: A judge may be disciplined for willful or persistent violation of the rules promulgated by the Supreme Court of Texas, willful violation of the code of Judicial Conduct, incompetence in performing the duties of office, or willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or the administration of justice.

- The judge exhibited bias in favor of law enforcement by appointing a detective whose agency investigates criminal cases in the judge’s county as foreperson of a grand jury. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Public Warning of a District Court Judge*. 2/20/19.
- The judge engaged in willful and persistent conduct that cast public discredit on the judiciary by engaging in a sexual relationship with his employee, and affording her preferential treatment in the form of raises and promotions as a result of this relationship. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Public Reprimand of a Former County Judge*. 2/20/19.

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
--------------	------	------------------	----------

APPELLATE JUDGE MEMBERS

Texas Supreme Court	Honorable Charles Barrow	66 - 69	4 Year Term
Texas Supreme Court	Honorable Spurgeon Bell	66 - 71	Served as Chair
Texas Supreme Court	Honorable Homer Stephenson	70 - 75	Served as Chair
Texas Supreme Court	Honorable Phil Peden	72 - 77	Served as Secretary Served as Chair
Texas Supreme Court	Honorable Edward Coulson	78 - 81	Served as Vice Chair
Texas Supreme Court	Honorable Charles L. Reynolds	78 - 81	Unexpired Term Served as Vice Chair
Texas Supreme Court	Honorable Esco Walter	75 - 77	
Texas Supreme Court	Honorable John Boyd	82 - 87	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable William Junell	77 - 81 81 - 83	Unexpired Term Reappointed Served as Chair
Texas Supreme Court	Honorable William Bass	89 - 94	Retired
Texas Supreme Court	Honorable William "Bud" Arnot	95 - 95 95 - 01	Unexpired Term Reappointed Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Joseph B. Morris	01 - 07	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Jan P. Patterson	07 - 13	Served as Vice Chair
Texas Supreme Court	Honorable David Gaultney	11 - 13	Unexpired Term
Texas Supreme Court	Honorable Douglas S. Lang	13 - 18	Served as Chair Served as Vice Chair Served as Secretary
Texas Supreme Court	Honorable Lee Gabriel	19 -	Unexpired Term

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
--------------	------	------------------	----------

DISTRICT JUDGE MEMBERS

Texas Supreme Court	Honorable Connally McKay	66 – 68	Served as Vice Chair
Texas Supreme Court	Honorable Truett Smith	66 – 69	Served as Vice Chair
Texas Supreme Court	Honorable Clarence Guittard	68 – 69	Unexpired Term Served as Secretary Resigned (appointed Appellate Judge)
Texas Supreme Court	Honorable Howard Davison	68 – 75	Served as Vice Chair
Texas Supreme Court	Honorable R. C. Vaughan	69 – 71 71 – 77	Unexpired Term Reappointed Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Walter E. Jordan	78 – 81	Served as Chair
Texas Supreme Court	Honorable Darrell Hester	76 – 81	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Raul Longoria	82 – 87	
Texas Supreme Court	Honorable Harry Hopkins	82 – 83 83 – 89	Unexpired Term Reappointed Served as Vice Chair Resigned (appointed Appellate Judge)
Texas Supreme Court	Honorable Homer Salinas	88 – 93	Served as Vice Chair
Texas Supreme Court	Honorable Merrill Hartman	93 – 99	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Kathleen Olivares	99 – 05	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Sid Harle	05 – 11	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Orlinda L. Naranjo	11 - 18	
Texas Supreme Court	Honorable Ruben G. Reyes	18 -	

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
--------------	------	------------------	----------

COUNTY COURT AT LAW MEMBERS

Texas Supreme Court	Honorable J. Ray Kirkpatrick	85 -89	New Position
Texas Supreme Court	Honorable Hilda Tagle	89 - 91 91 - 94	Unexpired Term Reappointed Resigned (elected District Judge)
Texas Supreme Court	Honorable Martin Chiuminatto	95 – 97 97 - 03	Unexpired Term Reappointed Served as Secretary
Texas Supreme Court	Honorable Michael R. Fields	03 - 09	Served as Vice Chair
Texas Supreme Court	Honorable M. Sue Kurita	10 - 15	Served as Vice Chair
Texas Supreme Court	Honorable David C. Hall	15 -	Served as Secretary Served as Vice Chair Serving as Chair

CONSTITUTIONAL COUNTY JUDGE MEMBERS

Texas Supreme Court	Honorable Ernie Houdashell	07 – 09	New Position
Texas Supreme Court	Honorable Joel P. Baker	09 – 11 11 - 16	Unexpired Term Reappointed Served as Vice Chair Resigned (2016)
Texas Supreme Court	Honorable Tramer J. Woytek	16 – 17 17 -	Unexpired Term Reappointed Serving as Secretary

JUSTICE OF THE PEACE MEMBERS

Texas Supreme Court	Honorable Wayne LeCroy	78 – 83	New Position
Texas Supreme Court	Honorable James Dinkins	83 – 83	Unexpired Term
Texas Supreme Court	Honorable Jack Richburg	84 – 85 85 – 90	Unexpired Term Reappointed
Texas Supreme Court	Honorable Charles McCain	91 – 91	Unexpired Term

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
Texas Supreme Court	Honorable Tom Lawrence	91 – 97	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable Keith Baker	97 – 03	
Texas Supreme Court	Honorable Rex Baker	03 – 07	Served as Vice Chair Served as Chair Resigned
Texas Supreme Court	Honorable Tom Lawrence	07 – 09	Unexpired Term
Texas Supreme Court	Honorable Steven L. Seider	10 - 15	Served as Vice Chair Served as Chair
Texas Supreme Court	Honorable David M. Patronella	15 -	

MUNICIPAL JUDGE MEMBERS

Texas Supreme Court	Honorable Elinor Walters	85 – 91	New Position Served as Secretary
Texas Supreme Court	Honorable Bonnie Sudderth	91 – 96	Resigned (appointed District Judge)
Texas Supreme Court	Honorable Michael O'Neal	96 – 97 97 – 02	Unexpired Term Reappointed Resigned
Texas Supreme Court	Honorable Monica A. Gonzalez	02 – 03 03 – 09	Unexpired Term Reappointed Served as Vice Chair Served as Chair Resigned in '09 (appointed to CCL)
Texas Supreme Court	Honorable Edward J. Spillane, Jr.	09 – 15	
Texas Supreme Court	Honorable Catherine N. Wylie	15 - 19	Served as Vice Chair Served as Chair

PUBLIC MEMBERS

Governor	William Blakemore	66 - 69
Governor	Lewis Bond	66 - 70
Governor	Robert Whipkey	66 - 72

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
Governor	F. Howard Walsh	70 - 74	
Governor	Vernon Butler	70 - 75	
Governor	F. Ray McCormick	73 - 77	
Governor	Carl Dillard	74 - 81	Served as Secretary
Governor	Crawford Godfrey	76 - 81	
Governor	Mike Maros	78 - 83	Served as Secretary Replaced McCormick
Governor	Robert Rogers	81 - 85	
Governor	Scott Taliaferro	81 - 85	Served as Secretary
Governor	Col.(R) Nathan I. Reiter	81 - 87	Served as Secretary Resigned 5/14/87
Governor	Max Emmert, III	83 - 89	
Governor	Lowell Cable	85 - 91	
Governor	Gary Griffith	88 - 91	Unexpired Term
Governor	Dr. Roderick Nugent	87 - 93	
Governor	Al Lock	89 - 95	Served as Secretary
Governor	Carol MacLean	94 - 97	Resigned
Governor	Rosa Walker	91 - 97	
Governor	Jean Birmingham	93 - 99	
Governor	L. Scott Mann	95 - 01	Served as Vice Chair Served as Chair
Governor	Dee Coats	98 - 03	Served as Secretary
Governor	Gilbert M. Martinez	98 - 03	
Governor	Wayne Brittingham	00 - 01	Resigned
Governor	Faye Barksdale	01 - 07	

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
Governor	R.C. Allen III	02 - 05	
Governor	Ann Appling Bradford	03 - 09	Served as Secretary
Governor	Buck Prewitt	04 - 06	Resigned
Governor	Gilbert Herrera	05 - 05	Resigned
Governor	Janelle Shepard	05 - 11	Served as Secretary
Governor	Cynthia Tauss Delgado	07 - 07	Resigned
Governor	William Lawrence	07 - 09	Unexpired Term
Governor	Conrado De La Garza	08 - 08	Resigned
Governor	Karry Matson	09 - 13	Unexpired Term
Governor	Patty Johnson	09 - 11 11 - 18	Unexpired Term Reappointed Served as Secretary
Governor	Martha Hernandez	10 - 15	
Governor	Diane DeLaTorre Threadgill	10 - 15	
Governor	Valerie E. Ertz	11 - 17	Served as Secretary Served as Chair
Governor	David M. Russell	13 -	
Governor	Darrick L. McGill	17 -	
Governor	Sujeeth B. Draksharam	17 -	
Governor	Maricela Alvarado	18 - 19	
Governor	Amy Suhl	18 - 19	
Governor	Valerie Ertz	19 -	Unexpired Term
Governor	Frederick C. Tate	19 -	Unexpired Term

ATTORNEY MEMBERS

State Bar	J. E. Abernathy	66 - 69	
State Bar	Fred Werkenthin	66 - 72	Served as Secretary
State Bar	Donald Eastland	69 - 75	Served as Chair
State Bar	Robert C McGinnis	71 - 77	
State Bar	O. J. Weber	75 - 81	Served as Vice Chair
State Bar	W. Truett Smith	78 - 83	Served as Chair

COMMISSION MEMBERS PAST AND PRESENT

(Last Updated 10/21/19)

APPOINTED BY	NAME	DATES OF SERVICE	COMMENTS
State Bar	Robert Parsley	81 – 87	
State Bar	Jamie Clements	83 – 89	Served as Vice Chair
State Bar	Charles Smith	87 – 93	Served as Chair
State Bar	Charles R. Dunn	89 – 95	Served as Chair
State Bar	Jack Pasqual	93 – 99	
State Bar	Blake Tartt	95 – 01	
State Bar	Wallace Jefferson	99 – 01	Resigned (appointed Supreme Court Justice)
State Bar	Ron Krist	01 – 07	
State Bar	James Hall	01 – 05	Unexpired Term Served as Vice Chair Served as Chair
State Bar	Jorge Rangel	05 – 11	Served as Vice Chair Served as Chair
State Bar	Tom Cunningham	07 – 13	Served as Vice Chair Served as Chair
State Bar	Ricky A. Raven	11 - 17	Served as Secretary
State Bar	Demetrius K. Bivins	13 -	
State Bar	Ronald E. Bunch	17 -	Served as Secretary Serving as Vice-Chair