



**BEFORE THE  
STATE COMMISSION ON JUDICIAL CONDUCT**

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**CJC No. 19-1202**

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**PUBLIC ADMONITION  
AND  
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE PAUL FOLEY  
JUSTICE OF THE PEACE, PCT. 1, PL. 1  
EMORY, RAINS COUNTY, TEXAS**

During its regularly scheduled meeting on February 5-7, 2020, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Paul Foley, Justice of the Peace, Precinct 1, Pl. 1, Emory, Rains County, Texas. Judge Foley was advised by letter of the Commission's concerns and provided a written response. After considering the evidence before it, the Commission enters the following findings and conclusions:

**FINDINGS OF FACT**

1. At all relevant times, the Honorable Paul Foley was Justice of the Peace for Precinct 1, Place 1 in Emory, Rains County, Texas.
2. On May 3, 2019, Judge Foley contacted Amanda White ("White"), a middle school teacher, at her place of employment – Commerce Middle School.
3. Judge Foley identified himself as a judge and insisted on talking to White concerning the whereabouts of a horse allegedly bequeathed to her aunt, Jana Titsworth, in the Estate of Ricky Lovvern, Deceased.
4. During the call, Judge Foley insisted that White tell him where the horse was being kept.
5. When White advised that she was in the middle of class and could not talk, Judge Foley responded, "I know where you are!," in a rude and hateful tone.

6. After White refused to discuss the matter, Judge Foley advised her that he would find the horse and let Titsworth go pick it up.
7. On November 5, 2019, Titsworth filed a small claims suit against White in Judge Foley's court to recover possession of the horse.
8. In his written responses to the Commission, Judge Foley explained that the purpose of his call to White was to determine where jurisdiction of an enforcement action would be.
9. Judge Foley admitted he raised his voice to White "to emphasize the importance of the call" and because she was abrupt and unwilling to discuss the matter with him.
10. In light of the Commission's investigation, Judge Foley voluntarily recused from the case arranged for another judge to preside over the matter.

#### RELEVANT STANDARD

1. Canon 2B of the Texas Code of Judicial Conduct provides, in pertinent part, that a judge "shall not lend the prestige of judicial office to advance the private interests of the judge or others..."
2. Canon 3B(4) provides, in part, that a judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity..."


#### CONCLUSION

Based upon the record before it and the factual findings recited above, the Texas Commission has determined that the Honorable Paul Foley should be publicly admonished and ordered to obtain additional education for lending the prestige of his judicial office to advance the private interests of another, conveying the impression that another was in a position to influence his conduct and failing to be patient, dignified and courteous when he made a phone call on behalf of another in order to secure the whereabouts of a horse, when no case was pending in his court, and exhibited poor demeanor during the call, in violation of Canons 2B and 3B(4) of the Texas Code of Judicial Conduct.

Pursuant to this Order, Judge Foley must obtain **two hours** of education, in addition to his required judicial education for Fiscal Year 2020. In particular, the Commission desires that Judge Foley receive this additional education concerning judicial ethics and the use of judicial influence. Judge Foley shall complete the additional **two hours** of instruction recited within **sixty days** from the date of the Commission's final order. It is Judge Foley's responsibility to schedule the additional education.

The Commission has taken this action pursuant to the authority contained in Article V, §1-a of the Texas Constitution in a continuing effort to protect the public and promote confidence in the judicial system.

Issued this the 12<sup>th</sup> day of August, 2020.

  
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Honorable David C. Hall  
Chairman, State Commission on Judicial Conduct