



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 21-0714

PUBLIC REPRIMAND

**HONORABLE GENA SLAUGHTER
191ST DISTRICT COURT
DALLAS, DALLAS COUNTY, TEXAS**

During its meeting on December 5-6, 2023, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Gena Slaughter, 191st District Court, Dallas County, Texas. Judge Slaughter was advised by letter of the Commission's concerns and provided a limited written response. 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 Gena Slaughter served as judge of the 191st District Court, of Dallas, Dallas County, Texas.
2. On February 21, 2018, the case styled *David Reiss & Spy Games, LLC v. Jason R. Hanson v. IberiaBank*, Cause No. DC-18-02498 was filed in the 191st District Court (the "Reiss Case").
3. On October 15, 2020, the Dallas Court of Appeals issued a writ of mandamus opinion regarding the Reiss Case in a proceeding styled *In re David Reiss*, Case No. 05-20-00708-CV (the "2020 Mandamus").
4. At the time of the 2020 Mandamus, the Reiss Case had gone through four trial settings.
5. In its 2020 Mandamus opinion, the Dallas Court of Appeals listed seven motions that were pending from six to over twenty-four months without rulings, although Judge Slaughter had been notified of those pending matters on January 17, 2020, and on May 11, 2020.

6. The Dallas Court of Appeals cited the legal standards to Judge Slaughter that would require such rulings to be made within a reasonable time, considering all the surrounding circumstances, and concluded Judge Slaughter had not ruled within a reasonable period and directed Judge Slaughter to enter the orders, which she then did.
7. On October 27, 2020, the Texas Lawyer published an article about Judge Slaughter's delinquency in ruling and the writ of mandamus titled, "*Punished for Later Rulings in Past, Dallas Judge Now Compelled to Act on 7 Long-Pending Motions.*"
8. On June 21, 2022, the Dallas Court of Appeals issued a second and similar writ of mandamus opinion regarding the Reiss Case in a proceeding styled *In re David Reiss and Spy Games, LLC*, Case No. 05-22-00575-CV (the "2022 Mandamus").
9. In its 2022 Mandamus opinion, the Dallas Court of Appeals listed six motions that were pending from two to over ten months without rulings, although Judge Slaughter had been notified of those pending matters at a hearing on May 3, 2022, and by correspondence dated May 5, 2022, May 18, 2022, and May 27, 2022.
10. At the time of the 2022 Mandamus, the Reiss Case had added an additional five more trial settings.
11. In its 2022 Mandamus, the Dallas Court of Appeals noted that the ninth and then current trial setting was June 27, 2022, which was less than a week away and the delinquent rulings were impacting the ability of that setting to occur. Also, it stated the record did not reflect that any special docket conditions or other matters had prevented Judge Slaughter from ruling on the motions that were the subject of the writ of mandamus petition.
12. Also, in its 2022 Mandamus opinion, the Dallas Court of Appeals again cited the same legal standards to Judge Slaughter that would require such rulings within a reasonable time, considering all the surrounding circumstances and found that Judge Slaughter had not ruled within such a period.
13. Following the 2022 Mandamus opinion, Judge Slaughter entered the required orders within the period as directed.
14. On June 27, 2023, the State Commission on Judicial Conduct forwarded a Letter of Inquiry to Judge Slaughter to the mailing address of her court and asked her to provide a written response to the complaint on or before July 21, 2023. Judge Slaughter did not respond.
15. On August 23, 2023, the State Commission on Judicial Conduct again forwarded the Letter of Inquiry to Judge Slaughter's county email address and a private email address previously used by the Commission.
16. On August 25, 2023, Judge Slaughter responded stating she had not received the June 27th Letter of Inquiry that was mailed to her and requested an extension to respond to the Letter of Inquiry. Judge Slaughter's request was granted, and she was given until September 22, 2023 to respond.
17. On September 22, 2023, Judge Slaughter emailed the Commission asking if her responses were received the previous day via email and stated she was having technical issues. Judge Slaughter was advised that her responses were not received and that she could send her responses via regular mail by September 25, 2023, and they would be deemed timely.

18. On September 27, 2023, Judge Slaughter emailed the Commission and again stated she was having technical issues sending her responses via email. However, the Commission did receive a photo of one page of a partial document emailed by Judge Slaughter. Thereafter, Judge Slaughter was instructed to send her full responses via email or via regular mail. Judge Slaughter did not respond.
19. On October 12, 2023, the Commission attempted to contact Judge Slaughter via phone and email regarding her responses to the Letter of Inquiry and provided her with a new deadline of October 16, 2023 to provide her full responses to the Letter of Inquiry. Judge Slaughter did not respond.
20. In her partial response, Judge Slaughter stated she did not believe she has been “accused of willfully or deliberately, or for that matter even negligently, ignoring the substantive statutes and laws in regard to the case”, and that “those delays have not stopped this litigation process from proceeding or the trial being conducted.”
21. However, Judge Slaughter conceded that she did not timely sign the orders but asserted “most of the rulings had been made and communicated to the parties, but I did fail to follow-up and sign all of the orders. These delays did not however delay the final disposition of this case.” She also asserted that, “I need better processes in place to ensure that all the rulings are made, and orders are signed. And in fact, I have initiated new processes to do so.”

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct states in relevant part, “A judge shall comply with the law.”
2. Canon 3B(2) of the Texas Code of Judicial Conduct states in relevant part, “A judge ... shall maintain professional competence in [the law].”
3. Article V, Section 1-a(6)A of the Texas Constitution provides, in relevant part, that a judge shall not engage in “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.”
4. Section 33.001(b)(1) of the Texas Government Code provides, “For the 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) willful, persistent, and unjustifiable failure to timely execute the business of the court, considering the quantity and complexity of the business; ...”
5. Section 33.001(b)(5) of the Texas Government Code provides, “For the 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: ... (5) failure to cooperate with the commission; ...”
6. Rule 7(b) of the Texas Rules of Judicial Administration provides that a district judge shall “rule on a case within three months after the case is taken under advisement.”

CONCLUSION

Based upon the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Gena Slaughter, Judge of the 191st District Court in Dallas, Dallas County, Texas should be publicly reprimanded for: (1) her failure to comply with the law and maintain professional competence in the law when she failed to timely execute the business of her court by: (a) failing to rule on motions in a timely matter in the Reiss Case; and (b) being ordered to rule on those motions in the Reiss Case through two writ of mandamus opinions by the Dallas Court of Appeals; and (2) failing to cooperate with the Commission's investigation, in violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct, and Section 33.001(b)(1) & (5) of the Texas Government Code. Judge Slaughter's failure in these respects constitutes a willful and persistent conduct that is clearly inconsistent with the proper performance of her duties and cast public discredit upon the judiciary and administration of justice, in violation of Article V, Section 1-a(6)A of the Texas Constitution.

The Commission has taken this action pursuant to the authority conferred it in Article V, Section 1-a(8) of the Texas Constitution in a continuing effort to protect the public and promote public confidence in the judicial system.

Issued this the 7 day of FEBRUARY, 2024.



Gary Steel
Chairman, State Commission on Judicial Conduct