



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 08-0474-JP

PUBLIC ADMONITION

**HONORABLE GEORGE BOYETT
JUSTICE OF THE PEACE, PRECINCT 3
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

During its meeting on December 2-5, 2008, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable George Boyett, Justice of the Peace, Precinct 3, College Station, Brazos County, Texas. Judge Boyett was advised by letter of the Commission's concerns and provided written responses. Judge Boyett appeared before the Commission on December 4, 2008, and gave testimony. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

FINDINGS OF FACT

1. At all times relevant hereto, Judge George Boyett was Justice of the Peace for Precinct 3, College Station, Brazos County, Texas.
2. On January 17, 2008, while driving in College Station, Judge Boyett was cut off by a vehicle driven by a Texas A&M University student (the "student"), who made an improper lane change. The student's action caused Judge Boyett's vehicle to run off the road.
3. Although there was no damage to his car, Judge Boyett was upset by the incident and decided to follow the student.
4. According to Judge Boyett, his intent was merely to have a discussion with the student, in his role as a private citizen, about her unsafe driving.
5. Judge Boyett followed the student several blocks to her apartment complex, waited for her to park and exit her vehicle, then pulled up next to her in his car.
6. Through his car window, Judge Boyett began speaking to the student about the incident, asking if she was aware that she had forced him off the roadway.

7. Judge Boyett then informed the student that he was a judge, displayed a badge containing his name and judicial title as he handed her his business card, and requested that the student appear in his court the following day to continue the discussion.
8. In his testimony before the Commission, Judge Boyett expressed no opinion as to whether the student may have believed that she was not free to decline the judge's request to appear in his court.
9. When the student and her father appeared in Judge Boyett's court the next day, the court bailiff escorted them into the courtroom where the judge was sitting on the bench wearing his judicial robes.
10. The bailiff immediately took the student's driver's license and handed it to Judge Boyett, who copied it on a printer that was located on his bench. The student and her father were directed to sit at counsel table while the judge remained on the bench.
11. Judge Boyett testified that his intent was to meet with the student for the purpose of "admonishing" and/or "disciplining" her for her conduct the day before and to ensure that she understood the nature of her infraction.
12. According to Judge Boyett, because the student's father began arguing with him and questioning his authority to order the student to appear in court, he became annoyed and discussed having the bailiff issue a traffic citation to the student for making an improper lane change.
13. At the judge's direction, the citation was issued out of another judge's precinct since that was where the alleged traffic violation had occurred and because the judge was a fact witness in the case.
14. Judge Boyett testified about a similar incident in which he had followed a college student who had allegedly "spun out" in front of him, causing gravel to hit his windshield.

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct states in pertinent part: "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."
2. 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."
3. Canon 3B(4) of the Texas Code of Judicial Conduct states: "A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in his official capacity and should require similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control."

CONCLUSION

The Commission concludes based on the facts and evidence before it that Judge Boyett's actions toward the student, which included (a) following the student to her apartment complex, (b) identifying himself as a judge, (c) requesting that she appear in his court, (d) admonishing the student from the bench while wearing judicial robes even though no case was pending before him, and (e) directing the bailiff to issue a citation to the student after becoming annoyed with the argumentative behavior of the student's father, were not in compliance with the law, failed to promote public confidence in the integrity and impartiality of the judiciary, improperly lent the prestige of judicial office to advance the judge's private interests, and demonstrated a lack of patience, dignity or courtesy expected of a judicial officer, in willful violation of Canons 2A, 2B, and 3B(4) of the Texas Code of Judicial Conduct.

In condemnation of the conduct described above that violated Canons 2A, 2B and 3B(4) of the Texas Code of Judicial Conduct, it is the Commission's decision to issue a **PUBLIC ADMONITION** to the Honorable George Boyett, Justice of the Peace, Precinct 3, College Station, Brazos 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 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 18th day of December, 2008.

ORIGINAL SIGNED BY

Honorable Sid Harle, Chair
State Commission on Judicial Conduct