



**BEFORE THE  
STATE COMMISSION ON JUDICIAL CONDUCT**

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**CJC No. 04-0360-MU**

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**PUBLIC REPRIMAND**

**HONORABLE KEN REILLY  
PRESIDING MUNICIPAL COURT JUDGE  
MONTGOMERY, MONTGOMERY COUNTY, TEXAS**

During its regularly scheduled meeting in Austin, Texas, on October 13-15, 2004, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Ken Reilly, Presiding Municipal Court Judge, Montgomery, Montgomery County, Texas. Judge Reilly was advised by letter of the Commission's concerns and provided written responses. Judge Reilly appeared before the Commission on October 14, 2004, and gave testimony. After considering the evidence before it, the Commission entered the following Findings and Conclusions:

**FINDINGS OF FACT**

1. At all times relevant hereto, the Honorable Ken Reilly was Presiding Judge of the Municipal Court of Montgomery, Montgomery County, Texas.
2. Judge Reilly, an attorney, serves as a municipal court judge on the average of one-half day per month. He is paid the nominal sum of \$1.00 per year for his service as judge.
3. Judge Reilly's primary occupation is that of a professional public speaker, who conducts training seminars in the area of environmental law.
4. Judge Reilly's average income exceeds \$84,000 per year from his various seminar productions and public speaking engagements.
5. Judge Reilly's website promotes his seminar business with several references to his judicial position, including promotional statements such as, "Bring 'The Judge' to your next meeting as a Keynote."

6. In his testimony before the Commission, Judge Reilly acknowledged that he is responsible for the content of all promotional information about his business enterprises, most of which appears on the internet.
7. In June 2000, the Commission considered a similar complaint concerning Judge Reilly's use of his judicial title to promote his training seminars. The Commission dismissed that complaint based on Judge Reilly's corrective action and his representation that he would eliminate all such references that tended to exploit his judicial office. However, the Commission advised Judge Reilly that he could continue to use an honorary title when providing biographical information about himself and his service as a judge.
8. During the period following his June 2000 appearance before the Commission, numerous gratuitous references to the "Judge" began to reappear in promotional materials advertising Judge Reilly's training seminars and public speaking business.

### **RELEVANT STANDARDS**

1. Article V, Section 1-a(6)A of the Texas Constitution provides that any Texas justice or judge may be disciplined for willful or persistent conduct that casts public discredit upon 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 4D(1) of the Texas Code of Judicial Conduct states, in pertinent part: "A judge shall refrain from financial and business dealings that . . . exploit his or her judicial position . . . ."

### **CONCLUSION**

The Commission concludes from the facts and evidence presented that Judge Reilly exploited his position as a judge to further his private business interests in violation of Canons 2B and 4D(1) of the Texas Code of Judicial Conduct. Further, the Commission concludes that by failing to follow through with his previous representations to the Commission that he would discontinue the gratuitous use of his judicial title in promotional materials concerning his training seminar and public speaking business, Judge Reilly has engaged in willful or persistent conduct that cast public discredit upon the judiciary in violation of Article V, Section 1-a(6)A of the Texas Constitution.

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In condemnation of the conduct described above that violated Article V, Section 1-a(6)A of the Texas Constitution, and Canons 2B and 4D(1) of the Texas Code of Judicial Conduct, it is the Commission's decision to issue a **PUBLIC REPRIMAND** to the Honorable Ken Reilly, Presiding Judge of the Municipal Court of Montgomery, Montgomery County, Texas.

Pursuant to the authority contained in Article V, Section 1-a(8) of the Texas Constitution, it is ordered that the conduct described above is made the subject of a **PUBLIC REPRIMAND** by the State Commission on Judicial Conduct.

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 \_\_\_\_2\_\_\_\_ day of November, 2004.

**ORIGINAL SIGNED BY**

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Honorable Joseph B. Morris, Chair  
State Commission on Judicial Conduct