



**BEFORE THE  
STATE COMMISSION ON JUDICIAL CONDUCT**

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**CJC No. 08-0760-MU**

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**PUBLIC WARNING**

**HONORABLE WILLIAM V. JAMES  
MUNICIPAL COURT JUDGE  
BRAZORIA, BRAZORIA COUNTY, TEXAS**

During its meeting on December 2-5, 2008, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable William V. James, Municipal Court Judge for the City of Brazoria, in Brazoria County, Texas. Judge James was advised by letter of the Commission's concerns and provided a 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 William V. James was Municipal Court Judge for the City of Brazoria, in Brazoria County, Texas.
2. On or about January 2, 2008, Complainant's 16 year-old son received a citation for failure to display a valid driver's license.
3. On or about January 28, 2008, Complainant and his son initially appeared before Judge James to enter a plea in the case.
4. Court records provided by Judge James indicate that the defendant entered a plea of "not guilty" and requested a jury trial. Thereafter, a pre-trial hearing was scheduled for March 19, 2008.
5. On or about February 14, 2008, Judge James sent a letter to the defendant in which the judge recites that the defendant had initially entered a plea of "guilty" at his January 28<sup>th</sup> appearance. Judge James further explains that he "became upset" when the defendant changed his plea to "not guilty" at his father's instruction. The judge added, "I would have been upset if I were you."

6. Judge James went on to inform the defendant that, “[y]our guardian stated you wanted a jury trial which at the time I did not handle correctly. After consulting a judge in a higher court my decision is that your plea of guilty will stand as your plead [*sic*]. Your fine is now \$210 payable to the City of Brazoria.” In the letter, Judge James provides for an appeal bond in the amount of \$420.
7. Other than the February 14, 2008 letter, Judge James provided no record indicating that a written judgment had been entered in the case.
8. In his written response to the Commission’s inquiry, Judge James explained that he wrote the letter because he had been thoroughly frustrated by Complainant’s rude and disrespectful conduct at the January 28, 2008 appearance.
9. The records show that the defendant appealed the case, which was subsequently dismissed.

### **RELEVANT STANDARDS**

1. Canon 2A of the Texas Code of Judicial Conduct states, in pertinent part: “A judge shall comply with the law . . . .”
2. Canon 3B(2) of the Texas Code of Judicial Conduct states, in pertinent part: “A judge . . . shall maintain professional competence in [the law].”

### **CONCLUSION**

The Commission finds that Judge James failed to comply with the law and failed to maintain professional competence in the law when he (i) failed to conduct a trial prior to finding the traffic defendant guilty and assessing a fine against him, (ii) changed the defendant’s plea from “not guilty” to “guilty,” and (iii) failed to enter a written judgment reflecting the decision in the case. The Commission finds that the judge’s conduct in this case constituted violations of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.

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In condemnation of the conduct described above that violated Canons 2A and 3B(2) of the Texas Code of Judicial Conduct, it is the Commission’s decision to issue a **PUBLIC WARNING** to the Honorable William V. James, Municipal Court Judge for the City of Brazoria, in Brazoria County, Texas.

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

The Commission takes this action in a continuing effort to protect public confidence in the judicial system, and to assist the state judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Code of Judicial Conduct.

Issued this **12th** day of **February**, 2009.

### **ORIGINAL SIGNED BY**

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Honorable Sid Harle, Chair  
State Commission on Judicial Conduct