

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**CATHY E. PREWITT, DISTRICT COURT JUDGE
34TH JUDICIAL DISTRICT**

AGREED ORDER OF SUSPENSION

Cathy E. Prewitt is District Judge for Kentucky's 34th Judicial District consisting of McCreary and Whitley Counties. Judge Prewitt has waived formal proceedings and has agreed to entry of this Order.


During a preliminary investigation resulting from a complaint, the Commission received information indicating that on or about May 12, 2014, Judge Prewitt set a \$25,000.00 bond on Defendant Steven Hinkle in Case No. 14-M-00252. Later that day, Judge Prewitt became aware that the Defendant's mother, Alma Ruth Hinkle, had arrived at the Circuit Clerk's office to pay the bond. Upon learning this information, Judge Prewitt instructed the Circuit Clerk's office to increase the bond from \$25,000.00 to \$50,000.00 without notice or a hearing. When the Deputy Circuit Clerk told Ms. Hinkle that the bond had increased, she called Judge Prewitt a "bitch." The statement was made outside of Judge Prewitt's presence. At the arraignment hearing that afternoon, Judge Prewitt asked Ms. Hinkle to approach the bench and asked her if she had, in fact, called her a "bitch" in the Circuit Clerk's office. When Ms. Hinkle admitted to making the statement, Judge Prewitt found her in contempt of court and ordered her to serve 24 hours in jail. This was done without notice, a hearing, or the opportunity for Ms. Hinkle to have legal counsel present.


The Commission concludes that by the conduct described above, Judge Prewitt violated SCR 4.300, the Code of Judicial Conduct, Canon 1 by failing to maintain high


standards of conduct and uphold the integrity and independence of the judiciary; Canon 2A by failing to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; Canon 3B(2) by failing to be faithful to the law by raising Steven Hinkle's bond without a hearing and holding Alma Hinkle in contempt of court without providing her notice, an opportunity to have legal counsel present, and a hearing before an impartial fact finder; and Canon 3B(7) by failing to accord Steven Hinkle the right to be heard with legal counsel prior to increasing his bond and by failing to accord Alma Hinkle the right to be heard with legal counsel prior to holding her in contempt of court.

Therefore, for the foregoing conduct, Judge Prewitt is hereby suspended from her duties without pay for a period of 7 consecutive days beginning August 27 and ending September 2. In entering this Order with the Agreement of Judge Prewitt, the Commission has duly considered that she fully cooperated in the Commission's investigation, that she had no prior infractions, and that the offending conduct will not be repeated.

Date: 7-10-15


STEPHEN D. WOLNITZEK, CHAIR

Agreed to:

John G. Prather, Counsel for Judge Prewitt


Hon. Cathy B. Prewitt


Jeffrey C. Mando, Counsel for the Commission