

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

ORDER OF PRIVATE REPRIMAND

The Commission issues this order of private reprimand to a judge for violation of the Code of Judicial Conduct, SCR 4.300, Rules 2.8 and 2.10.

In the wake of high-profile events involving the roles of law enforcement and the judiciary, many members of the legal community felt the need to publicly comment on the matters. A lawyer authored an op-ed in a newspaper criticizing the local judiciary, certain judicial process, and a local judge. The following week, another local judge authored a responsive op-ed in the same newspaper. In his opinion piece, the judge criticized the lawyer's perspective, referring to the lawyer's commentary as misleading, false, based on ignorance, bogus, falsehoods, misstatements, nonsense, and "a lie." The judge also defended the judicial process both in general and as involved in the events in question, and the judge who was criticized in the lawyer's op-ed. In doing so, the judge opined on the events at issue, including how the certain judicial process occurred in regard to those events and the other judge's actions related to that judicial process.

Rule 2.8 requires judges to be patient, dignified and courteous to lawyers and others with whom the judge deals in an official capacity. The judge violated this rule in some of his comments in his opinion piece that were directed toward the attorney who wrote the previous op-ed, even if his comments were true.

Rule 2.10 prohibits members of the judiciary from making public statements which might reasonably be expected to impair the fairness of a matter impending in any court. The Commission acknowledges the judge's expressed intent of publishing the op-ed to educate the public on the judicial process in issue, which is permitted by Rule 2.10(D). However, all

judges must be sensitive to the need to remain impartial and refrain from making public commentary that might reasonably be expected to affect the outcome or impair the fairness of an impending court matter, which violates Rule 2.10(A). The judge violated this rule when he commented on the particular event and the judge involved with that event.

Based upon the foregoing conduct, the judge is hereby privately reprimanded.

In issuing this private reprimand, the Commission duly considered that the judge fully cooperated in the investigation.

Date: 1/8/2021


R. MICHAEL SULLIVAN, CHAIR