



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 15-0845-CC; 15-0978-CC; 15-1071-CC; 16-0001-CC & 16-0128-CC

**PUBLIC ADMONITION
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE DAVID GLICKLER
COUNTY COURT AT LAW NO. 2
SAN MARCOS, HAYS COUNTY, TEXAS**

During its meeting on June 16, 2016, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable David Glickler, Judge of County Court at Law No. 2, San Marcos, Hays County, Texas. Judge Glickler was advised by letter of the Commission's concerns and provided written responses. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

FINDINGS OF FACT

1. At all relevant times, the Honorable David Glickler was the Judge of County Court at Law No. 2 in San Marcos, Hays County, Texas.
2. On or about May 26, 2015, Judge Glickler was stopped for speeding by Hays County Sheriff's Deputy Travis Terreo.
3. In his offense report, Deputy Terreo noted a "prevalent odor of metabolized alcohol" coming from the driver which became stronger as the officer spoke with him.
4. Deputy Terreo noted that the driver "immediately identified himself as 'County Judge David Glickler,'" and handed the officer a business card that also identified him as Judge David Glickler.

5. According to the officer’s dash cam video, after Judge Glickler refused to perform one of the Standardized Field Sobriety tests, he again identified himself as a judge, stating “I am a judge in this county.” Deputy Terreo responded “I understand that. You keep saying that, sir. You are a judge but you are also a citizen.”
6. After concluding his investigation, Deputy Terreo arrested Judge Glickler on suspicion of Driving While Intoxicated (“DWI”).
7. On or about May 4, 2016, Judge Glickler entered a plea of “no contest” to the DWI charge.
8. Judge Glickler also issued a press release in which he contended that he was not intoxicated on the night in question, but wanted to hold himself to a higher standard.
9. In his written responses to the Commission’s inquiry, Judge Glickler explained that the only reason he informed Deputy Terreo that he was a judge was to assist the deputy with his duty to follow the proper procedures that law enforcement officers should undertake when investigating an elected official. According to the judge, he became aware of these procedures during his prior employment with the Texas Attorney General’s Office.
10. Judge Glickler also stated that “[a] review of the video and the probable cause affidavit, as well as the final offense report, will show that at no time did I ever ask for or seek, by request or intimidation, any special treatment whatsoever.”

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 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....”

CONCLUSION

The Commission concludes based on the facts and evidence before it that Judge Glickler failed to comply with the law by driving while intoxicated, a criminal offense to which he has entered a plea of “no contest.” Although Judge Glickler insists that he was not looking for special treatment, the numerous invocations of his judicial position would lead a reasonable person to believe that he was trying to influence Deputy Terreo’s investigation. The Commission concludes that Judge Glickler’s conduct constituted a willful violation of Canons 2A and 2B of the Texas Code of Judicial Conduct.

In condemnation of the conduct described above that violated Canons 2A and 2B of the Texas Code of Judicial Conduct, it is the Commission’s decision to issue a **PUBLIC ADMONITION AND ORDER OF ADDITIONAL EDUCATION** to the Honorable David Glickler, County Court at Law No. 2, San Marcos, Hays County, Texas.

Pursuant to this Order, Judge Glickler must obtain **two (2) hours** of instruction with a mentor, in addition to his required judicial education for Fiscal Year 2017. In particular, the Commission desires that Judge Glickler receive this additional education in the following area: Judicial ethics generally, including but not limited to, avoiding improper invocation of the prestige

of judicial office and off-the-bench or personal conduct that, when known to the public, casts public discredit on the judiciary and the administration of justice.

Judge Glickler shall complete the additional **two (2) hours** of instruction recited within **sixty (60) days** from the date of written notification of the assignment of a mentor. It is Judge Glickler's responsibility to contact the assigned mentor and schedule the additional education.

Upon the completion of the **two (2) hours** of education described herein, Judge Glickler shall sign and return the Respondent Judge Survey indicating compliance with this Order. Failure to complete, or report the completion of, the required additional education in a timely manner may result in further Commission action.

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 AND ORDER OF ADDITIONAL EDUCATION** by the Commission.

The Commission has taken this action in a continuing effort to protect the 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 12th day of July, 2016.

ORIGINAL SIGNED BY

Hon. Valerie E. Ertz, Chair
State Commission on Judicial Conduct