



**BEFORE THE  
STATE COMMISSION ON JUDICIAL CONDUCT**

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**CJC No. 08-0087-JP**

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**PUBLIC ADMONITION**

**HONORABLE FRED BROCKWELL  
JUSTICE OF THE PEACE, PRECINCT 3  
DEL RIO, VAL VERDE COUNTY, TEXAS**

During its meeting in Austin, Texas, on February 13-15, 2008, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Fred Brockwell, Justice of the Peace, Precinct 3, Del Rio, Val Verde County, Texas. Judge Brockwell 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 Fred Brockwell was Justice of the Peace for Precinct 3 in Del Rio, Val Verde County, Texas.

2. On or about July 19, 2006, the Commission ordered Judge Brockwell to obtain an additional twenty (20) hours of judicial education due to his failure to comply with that requirement for fiscal year 2005. Pursuant to the Commission's Order, the judge was to have completed the required education by December 31, 2006.
3. Prior to the December 31, 2006, deadline, Judge Brockwell requested and was granted an extension of time to obtain the ordered education.
4. In July of 2007, Judge Brockwell was contacted by the Commission regarding his failure to comply with the Order.
5. By letter dated July 13, 2007, Judge Brockwell acknowledged that he had only completed six (6) of the twenty (20) hours of judicial education required by the Commission's Order.
6. The judge's failure to comply was reported to the Commission in August of 2007.
7. In October of 2007, the Commission initiated a complaint against the judge for his failure to cooperate.
8. In his written response to the Commission's most recent inquiry, Judge Brockwell confirmed that despite the numerous extensions of time granted by the Commission he still had not completed the remaining fourteen (14) hours of judicial education pursuant to the Commission's July 2006 Order.
9. Judge Brockwell is in compliance with the required judicial education for fiscal years 2006 and 2007.

### **RELEVANT STANDARDS**

1. Article V, Section 1-a(6)A of the Texas Constitution provides that any Texas judge may be disciplined for willful or persistent conduct that is clearly inconsistent with the proper performance of his duties.
2. Section 33.001(b)(5) of the Texas Government Code provides that a judge's failure to cooperate with the Commission constitutes "willful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties."
3. Canon 2A of the Texas Code of Judicial Conduct states, in pertinent part: "A judge shall comply with the law. . . ."

### **CONCLUSION**

The Commission concludes from the facts and evidence presented that Judge Brockwell willfully and persistently failed to comply with the Commission's July 2006 Order by not obtaining the remaining fourteen (14) hours of judicial education that he had missed in fiscal year 2005. The judge's conduct in this matter constituted willful and persistent violations of Canon 2A, Article V, Section 1-a(6)A of the Texas Constitution, and Section 33.001(b)(5) of the Texas Government Code.

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In condemnation of the above-recited conduct that violated Canon 2A of the Texas Code of Judicial Conduct, Article V, Section 1-a(6)A of the Texas Constitution and Section 33.001(b)(5) of the Texas Government Code, it is the Commission's decision to issue a **PUBLIC ADMONITION** to the Honorable Fred Brockwell, Justice of the Peace, Precinct 3, Del Rio, Val Verde County, Texas.

Pursuant to the authority contained in Article V, Section 1-a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC ADMONITION** by the Commission.

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 the   7th   day of   April  , 2008.

**ORIGINAL SIGNED BY**

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Honorable Sid Harle, Chair  
State Commission on Judicial Conduct

