PUBLIC SANCTIONS
FY 2013

The following are public sanctions (reproduced in their entirety) which were issued by the Commission during fiscal year 2013. The public records for these cases are available for inspection at the Commission's offices located at 300 W. 15th Street, Suite 415, Austin, Texas.

BEFORE THE STATE COMMISSION

ON JUDICIAL CONDUCT

CJC NO. 12-0217-CC

ORDER NUNC PRO TUNC

HONORABLE WILLIAM ADAMS
COUNTY COURT AT LAW JUDGE
ROCKPORT, ARANSAS COUNTY, TEXAS

On September 4, 2012, the State Commission on Judicial Conduct issued a *Public Warning* to the Honorable William Adams, Judge of the Aransas County Court at Law, in Rockport, Aransas County, Texas, in CJC No. 12-0217-CC.

On September 7, 2012, it was brought to the Commission's attention that a clerical error occurred in Paragraph 9, on Page 2, of the Sanction, wherein it was incorrectly reported that the Texas Supreme Court suspended Judge Adams from office on November 22, 2012. Instead, the date of the Texas Supreme Court's Order of Suspension was November 22, 2011. The Commission hereby enters this Order Nunc Pro Tunc to correct this clerical error.

Issued this the 7th day of September, 2012.

Tom Alan Cunningham

Tom Cunningham, Chair
State Commission on Judicial Conduct

BEFORE THE STATE COMMISSION ON JUDICIAL CONDUCT

CJC NO. 12-0217-CC

PUBLIC WARNING

HONORABLE WILLIAM ADAMS
COUNTY COURT AT LAW JUDGE
ROCKPORT, ARANSAS COUNTY, TEXAS

During its meeting on August 15-17, 2012, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable William Adams, Judge of the County Court at Law in Rockport, Aransas County, Texas. Judge Adams was advised by letter of the Commission's concerns and provided written responses. Judge Adams appeared before the Commission on June 14, 2012, and gave testimony. 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 Adams was Judge of the County Court at Law in Rockport, Aransas County, Texas.

2. Judge Adams routinely presides over cases involving allegations of child abuse, family violence, and assault. Many of these cases are prosecuted by the Aransas County Attorney's Office, on behalf of the Texas Department of Family and Protective Services (TDFPS), also known as Child Protective Services.

3. On or about November 1, 2011, Judge Adams' adult daughter, Hillary Adams, released a videotape on the Internet.

4. The event depicted in the videotape occurred in 2004, when Hillary was 16 years old.

5. The videotape captured approximately seven and a half minutes of a scene occurring in the privacy of Hillary's bedroom, wherein her father, Judge Adams, struck Hillary forcefully at least seventeen times with a belt, yelled profanities at

her, and threatened her with further physical harm. In the same video, Hillary's mother, Hallie Adams, also yelled at Hillary and struck her one time with the belt.

6. At the time of the incident, and until the videotape's November 1, 2011 release, Judge Adams was unaware that he had been secretly videotaped striking his daughter.

7. The Internet release of the videotape prompted an international media storm of controversy. Several interviews were given by Hillary and Hallie to the local press, as well as to national television news programs and syndicated talk shows.

8. In his initial public statements, Judge Adams acknowledged that he "lost his temper" while in the process of disciplining his daughter for downloading music illegally from the Internet.

9. On November 22, 2012, the Supreme Court of Texas suspended Judge Adams from office in response to an Agreed Motion filed by the Commission and Judge Adams.

10. In the course of its investigation, the Commission interviewed approximately seventeen witnesses, including fifteen local attorneys who regularly practiced in Judge Adams' court.

11. Despite being aware of the incident depicted in the videotape and the media controversy surrounding its release, all of the attorneys praised Judge Adams for his fairness and impartiality, as well as his knowledge of the law. All were of the opinion that Judge Adams was a good judge, who made reasoned decisions based on the law and what was in the best interests of the children.

12. Although surprised and disappointed by the scene captured on tape seven years ago, six of the attorneys interviewed by the Commission remained supportive of Judge Adams' return to the bench.

13. However, six attorneys believed that Judge Adams could no longer be effective in court because the conduct portrayed in the videotape created the public perception that the judge could not be fair and impartial in cases involving allegations of family violence, child abuse, or assault.

14. These lawyers, two of whom testified before the Commission, stated that it was likely that motions to recuse Judge Adams would be filed by criminal defense attorneys on behalf of their clients if and when Judge Adams were to return to the bench.

15. As further evidence of the perception that Judge Adams could no longer be fair and impartial, on March 12, 2012, Howard G. Baldwin, Jr., Commissioner for TDFPS, directed Richard Bianchi, the Aransas County Attorney, to "take action to prevent Judge Adams [from] hearing Child Protective Services cases."

16. In the TDFPS letter, Commissioner Baldwin states that "the department does not believe that Judge Adams hearing such cases [considering the publicity surrounding the video] can serve the best interests of children and parents and insure the objectivity of the Court in actions regarding the abuse or neglect of children."

17. In the course of the Commission's investigation, ten witnesses, including at least eight of the attorneys who practiced regularly in Judge Adams' court, also described a pattern of incidents in which Judge Adams displayed anger and poor judicial demeanor toward certain attorneys appearing in his courtroom.

18. More specifically, witnesses recalled that Judge Adams often treated the now-former Aransas County Attorney, Jim Anderson ("Anderson"), in an unprofessional and discourteous manner, and frequently exhibited angry, undignified, and demeaning conduct when interacting with Anderson in the courtroom.

RELEVANT STANDARDS

1. Canon 3B(4) of the Texas Code of Judicial Conduct states, in pertinent part that, "A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity,..."

2. Canon 4A of the Texas Code of Judicial Conduct states that, "A judge shall conduct all of the judge's extra-judicial activities so that they do not: (1) cast reasonable doubt on the judge's capacity to act impartially as a judge; or (2) interfere with the proper performance of judicial duties."

3. Article V, §1-a(6)A of the Texas Constitution states, in pertinent part, that a judge may be disciplined for "willful or persistent violation of rules promulgated by the Supreme Court of Texas, incompetence in performing the duties of the office, willful violation of the Code of Judicial Conduct, or willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice."

CONCLUSION

The Commission concludes based on the facts and evidence before it that Judge Adams' actions depicted in the 2004 videotape, once publicly released, cast reasonable doubt on his capacity to act impartially as a judge and interfered with the proper performance of his judicial duties, in willful and/or persistent violation of Canons 4A(1) and 4A(2) of the Texas Code of Judicial Conduct. The doubt cast on Judge Adams' capacity to act impartially and the interference caused by the videotaped conduct was evidenced by the March 12, 2012 letter from TDFPS Commissioner Baldwin, as well as by the testimony of several witnesses. The Commission acknowledges that Judge Adams was not aware that he had been secretly videotaped, and that he was not the person who released the videotape on the Internet; however, because Judge Adams regularly presides over and decides child custody, child abuse, and family violence cases, his private conduct did cast public discredit upon the judiciary and the administration of justice, in violation of Article V, §1-a(6)A of the Texas Constitution.

The Commission further concludes that Judge Adams' treatment of certain attorneys in his courtroom, particularly the now-former Aransas County Attorney, Jim Anderson, fell far below the minimum standards of patient, courteous and dignified

courtroom demeanor expected of judicial officials, and constituted a willful and/or persistent violation of Canon 3B(4) of the Texas Code of Judicial Conduct.

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In condemnation of the conduct described above that violated Article V, §1-a(6)A of the Texas Constitution, and Canons 3B(4), 4A(1), and 4A(2) of the Texas Code of Judicial Conduct, it is the Commission's decision to issue a **PUBLIC WARNING** to the Honorable William Adams, Judge of the County Court at Law in Rockport, Aransas County, Texas.

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 WARNING** 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 4th day of September, 2012.

Tom Alan Cunningham

Tom Cunningham, Chair
State Commission on Judicial Conduct