

>> Chief Justice Carlos Muniz: OUR SECOND CASE TODAY IS ALSO A PUBLIC REPRIMAND INVOLVING WAYNE CULVER.

JUDGE CULVER YOU'RE HERE TODAY BECAUSE OF YOUR MISTREATMENT OF PERSONS IN YOUR COURTROOM ON TWO DISTINCT OCCASIONS IN FEBRUARY 2022. AND THE FIRST INCIDENT YOU WRONGLY FOUND A LITIGANT IN CRIMINAL CONTEMPT AND SENTENCED HIM TO A SIX MONTH JAIL TERM WITHOUT GIVING HIM A SUFFICIENT OPPORTUNITY TO BE HEARD.

THE NEXT DAY YOU DIRECTED A LOUD ANGRY AND PROFANE OUTBURSTS AT A LITIGANT WHO WAS LOOKING FOR A PLACE TO SIT IN YOUR COURTROOM. YOUR CONDUCT WAS EGREGIOUS.

DURING YOUR DISCIPLINARY HEARING BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION YOU ADMITTED TO BEING SHOCKED BY YOUR OWN USE OF PROFANITY AND YOU ACKNOWLEDGED THAT MEMBERS OF THE PUBLIC WOULD RIGHTLY BE APPALLED.

FOR THIS BEHAVIOR THE COMMISSION FOUND YOU GUILTY OF VIOLATING SEVERAL OF THE MOST BASIC TENETS OF JUDICIAL ETHICS. INCLUDING THE REQUIREMENT THAT JUDGES IN THEIR OFFICIAL CAPACITY TREAT EVERY PERSON WITH PATIENCE, DIGNITY AND COURTESY.

AS DISCIPLINE THE COMMISSION RECOMMENDED A 60 DAY SUSPENSION WITHOUT PAY AND THE ADMINISTRATION OF THIS PUBLIC REPRIMAND.

JUDGE CULVER YOUR MISCONDUCT IS SO UNACCEPTABLE AND SO DETRIMENTAL TO PUBLIC CONFIDENCE IN THE INTEGRITY OF THE JUDICIARY THAT A MORE SEVERE SANCTION INCLUDING REMOVAL FROM THE BENCH MIGHT HAVE BEEN JUSTIFIED. THE COMMISSION ALSO DOCUMENTED WHAT THEY DESCRIBED AS OVERWHELMING MITIGATION IN YOUR CASE.

MOST IMPORTANTLY THE COMMISSION CONCLUDED THAT YOUR MISCONDUCT OCCURRED DURING A PERIOD OF INTENSE PERSONAL PRESSURE AND LOSS WHEN YOU WERE THE PRIMARY CAREGIVER FOR YOUR FATHER WHO WAS GRAVELY ILL. THE COMMISSION ALSO HEARD FROM MANY OF YOUR JUDICIAL COLLEAGUES AND OTHERS IN THE LOCAL LEGAL COMMUNITY ALL OF WHOM TESTIFIED TO YOUR PREVIOUSLY UNBLEMISHED RECORD AS A LAWYER AND JUDGE AND SAID THAT YOUR INTEMPERATE BEHAVIOR IN FEBRUARY 2022 WAS ABERRATIONAL AND COMPLETELY OUT OF CHARACTER. FINALLY THE COMMISSION CREDITED YOUR SINCERE CONTRITION, YOUR ACCEPTANCE OF RESPONSIBILITY AND YOUR PROACTIVE EFFORTS TO GET TREATMENT FOR ANGER MANAGEMENT AND STRESS.

THE COMMISSION ULTIMATELY CONCLUDED THAT THE PUBLIC STILL HOLDS YOU IN HIGH ESTEEM AND THAT YOU REMAIN CAPABLE OF SERVING EFFECTIVELY AS A JUDGE.

GIVEN THIS ENTIRE RECORD INCLUDING THE EXTENSIVE MITIGATION I JUST DESCRIBED, THE COURT AGREED TO ACCEPT THE COMMISSION'S RECOMMENDED DISCIPLINE. AGAIN, A 60 DAY SUSPENSION WITHOUT PAY AND THE ADMINISTRATION OF THIS PUBLIC REPRIMAND.

I MUST CONCLUDE BY REITERATING THAT YOUR BEHAVIOR WAS UNACCEPTABLE AND

GROSSLY INCONSISTENT WITH OUR COURTS EXPECTATIONS FOR JUDGES OF OUR STATE.

THOUGH WE TRUST THE SINCERITY OF YOUR REMORSE AND EFFORTS AT REHABILITATION AND WHILE WE ACKNOWLEDGE THIS WAS A BRIEF PERIOD IN A VERY DIFFICULT TIME IN YOUR LIFE, WE EMPHASIZE THAT THERE WILL BE NO SECOND CHANCES IF THIS EVER HAPPENS AGAIN.

JUDGE CULVER YOUR REPRIMAND IS CONCLUDED AND YOU'RE FREE TO LEAVE.

THANK YOU