

December 2, 2003

Honorable Wendell Griffen
Arkansas Court of Appeals
625 Marshall Street
Little Rock, AR 72201

RE: Case #02-197

Dear Judge Griffen:

On November 20, 2002 the Judicial Discipline and Disability Commission issued a letter of admonishment to you. (Copy enclosed.) That admonishment concerned your appearance and presentation before the Legislative Black Caucus of the Arkansas General Assembly, at a public hearing on March 18, 2002. The Commission found that your remarks before the Legislative Black Caucus was in contravention of Canon 4C(1) of the Arkansas Code of Judicial Conduct.

In its decision on November 20, 2003 the Arkansas Supreme Court quashed the letter of admonishment to you because the Court found that Canon 4C(1) was not sufficiently drawn so as to advise you under what circumstances you might consult with a legislative official on a matter of personal interest. The Court found that you were not given sufficient notice as to what is proscribed conduct and that the Canon was unconstitutional, as it violated your First Amendment rights.

In the judgment and order in case Number 03-662 of Judge Wendell L. Griffen v. Arkansas Judicial Discipline and Disability Commission, the Arkansas Supreme Court directed the admonishment issued to you on November 20, 2002 be quashed. Accordingly, the admonishment issued to you by the Commission on November 20, 2002 is rescinded.

For the Commission,

James A. Badami
Executive Director

Enclosure as stated

cc: Attorney Nate Coulter

November 20, 2002

Honorable Wendell L. Griffen
Arkansas Court of Appeals
625 Marshall Street
Little Rock, AR 72201

LETTER OF ADMONISHMENT

RE: Complaint No. 02-197

Dear Judge Griffen:

During its November 15, 2002 meeting, the Judicial Discipline and Disability Commission decided to issue a Letter of Admonishment to you in Complaint Number 02-197. In the investigation of that complaint the Commission found you violated the Code of Judicial Conduct.

The complaint, which was filed by an anonymous complainant, alleged, *inter alia*, that you appeared before the Legislative Black Caucus of the Arkansas General Assembly at a public hearing that was held March 18, 2002. Subsequent investigation of that complaint revealed that your testimony at that hearing did not concern the law, the legal system or the administration of justice. In addition, your appearance was not in connection with a matter involving yourself or your interests as contemplated by Canon 4 (C) (1) of the Code of Judicial Conduct.

The Judicial Discipline & Disability Commission found that your appearance before the Legislative Black Caucus on March 18, 2002 was in contravention of Canon 4 (C) (1) of the Code of Judicial Conduct. For your conduct in violating the Code of Judicial Conduct, it was the decision of the Commission that you be admonished. This public admonition constitutes adequate discipline and no further action is warranted. This Commission action is public information.

For the Commission,

James A. Badami
Executive Director

JAB/wls

cc: Nate Coulter, Esq.