Judicial Discipline & Disability Commission

JUDGE JOYCE WILLIAMS WARREN
CHAIRMAN

323 Center Street • Suite 1060
Little Rock, AR 72201
(501) 682-1050 • Fax: (501) 682-1049
E-Mail: jddc@arkansas.gov

DAVID J. SACHAR
EXECUTIVE DIRECTOR

PRESS RELEASE

POINT OF CONTACT: DAVID SACHAR

PHONE: 501-682-1050

FOR IMMEDIATE RELEASE

July 15, 2016

The Arkansas Judicial Discipline and Disability Commission today announced that an agreed Letter of Informal Adjustment has been issued to former judicial candidate, attorney James L. Williams II, of Jefferson County, in Commission case #16-149. A copy of the Letter of Informal Adjustment against Mr. Williams follows this press release.

Judicial Discipline & Disability Commission

JUDGE JOYCE WILLIAMS WARREN
CHAIRMAN

323 Center Street • Suite 1060
Little Rock, AR 72201
(501) 682-1050 • Fax: (501) 682-1049
E-Mail: jddc@arkansas.gov

DAVID J. SACHAR
EXECUTIVE DIRECTOR

July 15, 2016

James L. Williams, Revocation Hearing Judge, Attorney
Arkansas Parole Board
105 West Capitol, Suite 500
Little Rock, AR 72201-5730

RE: JDDC Case No. 16-149

LETTER OF INFORMAL ADJUSTMENT

Dear Mr. Williams:

You were alleged to have committed violations of the Code of Judicial Conduct in the above referenced case. The following facts comprise the allegations which you agree to be true:

UNDISPUTED FACTS:

1) James L. Williams (*hereinafter referred to as "Williams"*) is a full time Revocation Hearings Judge for the Arkansas Parole Board.
2) Williams has served in this capacity since July 1, 1997.
3) David J. Sachar (*hereinafter referred to as "Sachar"*) is the Executive Director of the JDDC and is the complainant in the above referenced case number.
4) Williams was a candidate for circuit court judge in Jefferson County, Arkansas during the 2016 election season. A "judicial candidate" means any person, including a sitting judge, who is seeking selection for or retention in judicial office by election or appointment. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office. (*See Arkansas Code of Judicial Conduct)*
5) During the 2016 judicial election season, Williams advertised his campaign for Jefferson County Circuit Court Judge in the following particulars:
   a) "Judge James L. Williams, II for Circuit Judge;"
   b) "20 years EXPERIENCE Judging Misdemeanor Cases;"
   c) "20 years EXPERIENCE Judging Felony Cases;"
   d) "20 years EXPERIENCE Judging Domestic Cases;" and
   e) "20 years EXPERIENCE Judging Juvenile Cases."
6) Williams admits in correspondence dated March 30, 2016 that he has not served as a circuit court judge or district court judge in Arkansas.

7) Williams admits in correspondence dated March 30, 2016 that the materials printed with the above referenced content could be misinterpreted by individuals unaware of his prior public service.
8) Williams regrets usage of this particular language in his advertisements.
9) Williams did confer with JDDC staff regarding his usage of the title "judge" and represented himself as an Administrative Law Judge.
10) Williams' position as a Revocation Hearings Judge is not an executive appointment position though Williams does attend similar training as that of Administrative Law Judges.
11) The candidate's actions in paragraphs one (1) through ten (10) were areas of concern and cause for discipline but fall short of cause for formal discipline and are methods of advertising that should be avoided in the future.
12) The former judicial candidate is informally adjusted for this conduct.

RELEVANT AUTHORITY:

The Judicial Discipline and Disability Commission ("JDDC") determined, and you agree, that the above described manner of advertising was an issue of concern that should be avoided in the future in accordance with the following sections of the Code of Judicial Conduct (*hereinafter referred to as the "Code"*):

CANON 4
A JUDGE OR CANDIDATE FOR JUDICIAL OFFICE SHALL NOT ENGAGE IN POLITICAL OR CAMPAIGN ACTIVITY THAT IS INCONSISTENT WITH THE INDEPENDENCE, INTEGRITY OR IMPARTIALITY OF THE JUDICIARY.

RULE 4.1 Political and Campaign Activities of Judges and Judicial Candidates in General

(A) Except as permitted by law, or by Rules 4.2, 4.3, and 4.4, a judge or judicial candidate shall not:
...
(11) knowingly, or with reckless disregard for the truth, make any false or misleading statement.

CONCLUSION:

You have agreed that an informal adjustment is the appropriate resolution for your actions in JDDC Case #16-149. Your willingness to accept that your actions were cause for discipline but not cause for formal discipline and your commitment to be more aware of these issues in the future, have led the JDDC to refrain from recommending a more serious sanction, public charges or a public disciplinary hearing in this case. Additionally, your commitment to refrain from this type of future conduct was considered a mitigating circumstance, and as such, the JDDC recommends an informal adjustment.

An informal adjustment is a sanction for conduct that is cause for discipline but falls short of conduct that is cause for formal discipline. The purpose is to inform the respondent judge or judicial candidate of an issue of concern, remind a judge or judicial candidate of ethical obligations, recommend changes in behavior or procedures, or suggest an appearance of impropriety that could be avoided.

Your willingness to make admissions and your promise to avoid such behavior in the future should you decide to run for judicial office again, negated a likely recommendation of a more serious sanction.

If you have future violations of the Code, the JDDC may initiate a new investigation under the Rules of Procedure of the Judicial Discipline & Disability Commission. In any future proceeding, the JDDC may

take into consideration the fact that you have had Case #16-149, in which allegations have been substantiated.

In view of these circumstances, it is the judgment of the JDDC that your conduct is hereby informally adjusted, for Case #16-149. This resolution constitutes adequate discipline and no further action is warranted. Further discipline may occur if the JDDC finds you committed additional violations of the Code, at any time in the future.

This Commission action is public information and is the final action on this complaint.

Sincerely,

David J. Sachar
Executive Director