



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 18-0819 AND 18-0877

**PUBLIC WARNING
AND ORDER OF ADDITIONAL EDUCATION**

**HONORABLE KIM COOKS
255TH DISTRICT COURT
DALLAS, DALLAS COUNTY, TEXAS**

During its meeting on December 5-7, 2018, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Kim Cooks, 255th District Court, Dallas County, Texas. Judge Cooks was advised by letter of the Commission's concerns and provided a written response. Judge Cooks appeared before the Commission on December 6, 2018, 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 Kim Cooks was the Judge for the 255th District Court in Dallas County, Texas.
2. Judge Cooks was reelected to her position in November of 2018.
3. The Honorable Andrea Martin, Judge for the 304th Juvenile District Court in Dallas, Dallas County, Texas, was also reelected to her position in November of 2018.
4. During their 2018 campaigns for reelection, Judge Cooks and Judge Martin together produced and distributed a campaign mailer that featured their names, titles, and likenesses, and urged constituents to vote for each of them in their respective judicial races (the "Mailer").
5. The Mailer included the following statements:

Judge Martin and Judge Cooks have proven how much can be accomplished and how we all benefit when we work together;

Keep this talented team working for our families and for our children; and

We are truly stronger together.

6. The Mailer stated it was “[p]aid for by Andrea Martin & Kim Cooks for Judge Campaign.”
7. Judges Cooks and Martin together produced two campaign videos and posted them to social media (the “Videos”). Both Judges appear in the Videos, identify themselves by name and title, and ask voters to support both of them in their respective reelection efforts. In one of the Videos, the Judges state, “We are your Dallas County Judges, your people’s judges. We are the community judges. And we need your help,” and encourage constituents to vote early in both judicial races.
8. Judges Cooks and Martin indicated that they jointly hosted a fundraising event at which separate tables were set up for each campaign, and donations were made to each campaign individually (the “Fundraising Event”).
9. Judges Cooks and Martin stated that their individual campaigns shared equally the costs associated with the Mailer, the Videos, and the Fundraising Event.

RELEVANT STANDARDS

1. Canon 2B of the Texas Code of Judicial Conduct provides in relevant part, “A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others.”
2. Canon 5(2) of the Texas Code of Judicial Conduct provides in relevant part that a judge “shall not authorize the public use of his or her name endorsing another candidate for any public office, except that either may indicate support for a political party.”

CONCLUSION

The Commission concludes from the facts and evidence presented that by engaging in joint campaign efforts with Judge Martin, including hosting a joint fundraiser, and producing and disseminating campaign materials featuring both Judges suggesting they were running as a team, Judge Cooks lent the prestige of her judicial office to advance the private interests of Judge Martin, in violation of Canon 2B. Moreover, by authorizing the use of her name, title, and likeness on advertisements supporting Judge Martin’s campaign as well as her own, Judge Cooks’ conduct constituted a public endorsement of Judge Cooks expressly prohibited by Canon 5(2). The Commission concludes that Judge Cooks’ conduct constituted willful violations of Canons 2B and 5(2) of the Texas Code of Judicial Conduct.

In view of the conduct described above that violated Canons 2B and 5(2) of the Texas Code of Judicial Conduct, it is the Commission’s decision to issue a **PUBLIC WARNING AND ORDER OF ADDITIONAL EDUCATION** to the Honorable Kim Cooks, 255th District Court, Dallas County, Texas.

Pursuant to this Order, Judge Cooks must obtain **two hours** of instruction with a mentor, in addition to his required judicial education for Fiscal Year 2019. In particular, the Commission desires that Judge Martin receive this additional education in the area of campaigning.


Judge Cooks shall complete the additional **two hours** of instruction recited above within **sixty days** from the date of written notification of the assignment of a mentor. It is Judge Cook's responsibility to contact the assigned mentor and schedule the additional education.

Upon the completion of the **two hours** of instruction described herein, Judge Cooks shall sign and return the Respondent Judge Survey indicating compliance with this Order. Failure to complete, or report the completion of, the required additional education in a timely manner may result in further Commission action.

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 AND ORDER OF ADDITIONAL EDUCATION**.

The Commission has taken this action with the intent of assisting Judge Cooks in her continued judicial service, as well as 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 20th day of December, 2018.



Honorable Catherine N. Wylie, Vice-Chair¹
State Commission on Judicial Conduct

¹ Justice Douglas S. Lang, Chair of the Commission, recused himself from any participation in this matter.