



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 18-0468

PUBLIC WARNING

**HONORABLE RUDY MADRID
KLEBERG COUNTY JUDGE
KINGSVILLE, KLEBERG COUNTY, TEXAS**

During its regularly scheduled meeting on February 6-7, 2019, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Rudy Madrid, County Judge in Kingsville, Kleberg County, Texas. Judge Madrid was advised by letter of the Commission's concerns and provided written responses. 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 Rudy Madrid was County Judge in Kingsville, Kleberg County, Texas.
2. In January 2018, the Commission received a complaint from a concerned citizen alleging that Judge Madrid has "continuously and blatantly endorsed" Chuck Shultz, a candidate for Kleberg County Commissioner Precinct Two.
3. At some point during the 2018 primary election, the following picture which was posted on Judge Madrid's Facebook page:



4. In his written response, Judge Madrid stated that he was “tagged” in the above-referenced photo which he “accepted.” As a result of accepting being tagged in the photo, the judge acknowledged that the photo appeared on his personal Facebook page. He explained that he did not feel the photo was inappropriate because it did not include any written or verbal remarks which could be construed as an improper endorsement under the canons.
5. Judge Madrid recalled that approximately one week after the picture first appeared on his Facebook page, he was contacted by Kleberg County Attorney Kara Talip about a complaint¹ the county had received regarding the photo. The judge stated that he contacted the “Ethics Committee” and that after discussing the issue, he immediately removed the photo from his Facebook page.
6. The judge concluded that he complied with Canon 5(2) by: (1) not allowing the use of his name to endorse candidates, (2) not displaying political signs on his property, and (3) never endorsing other candidates fundraising activities.

¹ The complaint was filed by the same individual that filed the instant complaint against Judge Madrid with the SCJC.

RELEVANT STANDARDS

1. Canon 2B of the Texas Code of Judicial Conduct, states, in pertinent 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 states, in pertinent part: “A judge or judicial candidate shall not authorize the public use of his or her name endorsing another candidate for public office, except that either may indicate support for a political party.”

CONCLUSION


The Commission concludes based on the facts and evidence before it that Judge Madrid lent the prestige of his judicial office to advance the private interests of Chuck Schultz, a candidate for Precinct 2 County Commissioner by affirmatively allowing the above-referenced photo to be posted on his Facebook page. The Commission further concludes that Judge Madrid’s actions constituted an improper public endorsement of Chuck Schultz for public office. The Commission concludes that Judge Madrid’s conduct, described above, constitutes a willful violation of Canons 2B and 5(2) of the Texas Code of Judicial Conduct.

In condemnation 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** to the Honorable Rudy Madrid, County Judge in Kingsville, Kleberg 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 3rd day of April, 2019.



Hon. Catherine N. Wylie, Chair
State Commission on Judicial Conduct