



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 03-0093-AP

PUBLIC WARNING

**HONORABLE PAUL WOMACK
COURT OF CRIMINAL APPEALS
AUSTIN, TRAVIS COUNTY, TEXAS**

During its meeting in Austin, Texas, on June 11-13, 2003, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Paul Womack, Judge of the Court of Criminal Appeals, Austin, Travis County, Texas. Judge Womack was advised by letter of the Commission's concerns and provided a written response. Judge Womack appeared before the Commission on June 12, 2003, and gave testimony. After considering the evidence before it, the State Commission on Judicial Conduct entered the following Findings and Conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Paul Womack was a Court of Criminal Appeals Judge in Austin, Travis County, Texas.
2. In or around October 2002, the Texas Ethics Commission (TEC) notified the Commission that Judge Womack, a candidate for re-election to the Court of Criminal Appeals, had failed to file the following requisite campaign finance reports:
 - a. Personal Financial Statement (2001)
 - b. Personal Financial Statement (2002)
 - c. Semiannual Report for Candidate (July 2001)
 - d. Semiannual Report for Candidate (January 2002)
 - e. 30th Day before Election Day Report (February 2002)
 - f. 8th Day before Election Day Report (March 2002)

- g. 8th Day before Run-Off Election Day Report (April 2002)
- 3. The fines assessed against Judge Womack for failing to timely file these reports totaled \$20,500.00.
- 4. Judge Womack’s failure to timely file these reports, along with the efforts of TEC and the Texas Attorney General’s office to collect the fines assessed against the judge, received statewide media attention during Judge Womack’s contested race to keep his seat on the Court of Criminal Appeals.
- 5. In his testimony before the Commission, Judge Womack acknowledged that he failed to timely file the above-listed campaign finance reports as required by the Texas Campaign Fairness Act, Title 15, Texas Election Code.

RELEVANT STANDARDS

- 1. Canon 2A of the Texas Code of Judicial Conduct states, “A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”
- 2. Canon 4I(2) of the Texas Code of Judicial Conduct states, “A judge shall file financial and other reports as required by law.”
- 3. Canon 5(4) of the Texas Code of Judicial Conduct states, in pertinent part, “A judge or judicial candidate subject to the Judicial Campaign Fairness Act, Tex. Elec. Code §253.151, *et seq.* (the “Act”), shall not knowingly commit an act for which he or she knows the Act imposes a penalty.”

CONCLUSION

The Commission concludes from the facts and evidence presented that Judge Womack, a judge and judicial candidate subject to the Judicial Campaign Fairness Act, knowingly failed to timely file campaign finance reports as required by law, in violation of Canons 2A, 4I(2) and 5(4) of the Texas Code of Judicial Conduct.

In condemnation of the above-described conduct that violated Canons 2A, 4I(2) and 5(4) of the Texas Code of Judicial Conduct, it is the Commission’s decision to issue a **PUBLIC WARNING** to the Honorable Paul Womack, Judge of the Court of Criminal Appeals, Austin, Travis County, Texas.

Pursuant to the authority contained in Article V, Section 1-a(8) of the Texas Constitution, it is ordered that the conduct described above be made the subject of a **PUBLIC WARNING** by the State Commission on Judicial Conduct.

The Commission takes this action in a continuing effort to protect public confidence in the judicial system, and to assist the state 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 7th day of July, 2003.

ORIGINAL SIGNED BY

Honorable Kathleen Olivares, Chair
State Commission on Judicial Conduct