



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 21-1342

PUBLIC ADMONITION

**HONORABLE TRAVIS E. KITCHENS, JR.
258TH JUDICIAL DISTRICT
LIVINGSTON, POLK COUNTY, TEXAS**

During its meeting on August 12-13, 2026, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Travis E. Kitchens, Jr., judge of the 258th Judicial District Court, in Livingston, Polk County, Texas. Judge Kitchens was advised by letter of the Commission's concerns and provided a written response. On August 12, 2026, Judge Kitchens appeared before the Commission and gave testimony.

After considering the evidence before it, the Commission enters the following findings and conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Travis E. Kitchens, Jr., was a judge of the 258th Judicial District Court¹, in Livingston, Polk County, Texas.

Mandatory Certification for Plea Agreements

2. Before accepting a plea agreement in a criminal case, Judge Kitchens required defense attorneys and defendants to review the following four articles entitled: 1) *Going to Prison in Texas*; 2) *Basic Prison Discipline Procedures and Case Law*; 3) *When are you eligible for Parole in Texas*; and 4) *Parole Time Calculation Sheet* (the "Prison Articles").
3. Judge Kitchens also required both defense counsel and defendants to execute a "Certification of Explanation of Prison and Parole Issues" which stated they were provided the Prison Articles and reviewed them with their clients prior to accepting plea agreements.

¹ The 258th Judicial District Court has jurisdiction in Polk County, San Jacinto County, and Trinity County.

4. On the 258th Judicial Court Criminal Docket Sheet before the cases set for that day, the following statement listed in all capital lettering and bold stated:

The Court requires that, before accepting any plea bargain agreement (regardless of whether probation or prison time), the Defense Attorney must go over, and execute, the Court's "Certification of Explanation of Prison and Parole Issues" with Defendant. This document consists of 41 pages; hard copies of these are available at the court's offices in Livingston and Groveton. A pdf of the certification and articles is also available and will be emailed to you upon request. Additionally, It is requested that counsel discuss the case and plea papers with the defendant prior to coming to court to enter any plea bargain.

5. In his written responses to the Commission, Judge Kitchens stated he thought it would be a good thing if the issue of prison and parole was discussed with the defendant when the process of plea bargaining was engaged by the State. He thought it would have an added incentive for the defendant to not violate the terms of the probation.
6. During his testimony before the Commission, Judge Kitchens stated he instituted the reading upon his election to the bench, but that compliance with the requirement waned after six months and was no longer required.

COVID-19 Vaccines Requirement

7. On or about May 10, 2021, Judge Kitchens presided over a contested hearing regarding the temporary orders in the Staley Case, a family law custody case.
8. While determining the start date of Mr. Staley's visitation, Judge Kitchens was advised that the mother and the children were under quarantine because the mother's boyfriend had COVID-19, was presently in the hospital and had exposed them to it.
9. Judge Kitchens changed the date of the father's visitation and placed in the Temporary Orders the following:

It is ORDERED that CHRISTOPHER STALEY and AGUSTINA STALEY are to sign up and receive a COVID-19 vaccination on or before June 10, 2021, or at their option, to receive a COVID-19 test with negative results, the test taken within 72 hours of any visitation provided by these Temporary Orders.

10. Several news articles were published regarding Judge Kitchens mandating COVID-19 vaccines to exercise visitation in the Staley Case.²
11. In his written response and testimony to the Commission, Judge Kitchens stated he relied on his experience and training and thought his decision to either get a vaccine or have a negative test prior to exercising visitation was in the best interest of the children to try and minimize their exposure to COVID-19 under the specific facts of this case.

RELEVANT STANDARDS AND AUTHORITIES

1. Canon 2A of the Texas Code of Judicial Conduct provides, in relevant part, "A judge shall comply with the law..."

² East Texas News Article titled, "*A Sign of Things That Are Coming*," dated June 3, 2021; and Fox 26 Houston News Report titled, "*Divorce Court Judge orders COVID-19 vaccine for Liberty Co. man to see his children*," dated May 24, 2021.

2. Canon 3B(2) of the Texas Code of Judicial Conduct provides, in relevant part: “A judge...shall maintain professional competence in [the law].”
3. Article V, Section 1-a(6)A of the Texas Constitution provides, in relevant part, that a judge shall not engage in “willful or persistent conduct that is clearly inconsistent with the proper performance of the person’s duties or casts public discredit upon the judiciary or the administration of justice.”
4. Executive Order GA 35 by the Governor of the State of Texas dated April 5, 2021 provides, in relevant part, “NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately: (1) I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.”

CONCLUSION

Based on the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Travis E. Kitchens, Jr., the judge of the 258th Judicial District Court, in Livingston, Polk County, Texas, should be publicly admonished for failing to comply with the law and maintaining professional competence in the law when he: (1) mandated defense counsels and defendants to certify they had counseled their clients on the court’s mandatory reading prior to accepting plea agreements; and (2) ordered parents in a contested family law matter to obtain the COVID-19 vaccine or produce a negative COVID-19 test within 72 hours of the non-custodial parent exercising visitation in the Staley Case. Judge Kitchens’s failures in the foregoing respects constituted willful or persistent conduct that is clearly inconsistent with the proper performance of his duties and cast public discredit on the judiciary or on the administration of justice, in violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.

The Commission has taken this action pursuant to the authority conferred it in Article V, Section 1-a of the Texas Constitution in a continuing effort to protect the public and promote public confidence in the judicial system.

Issued this the 25th day of August, 2026.

Ken Wise

Ken Wise
Interim Chair, State Commission on Judicial Conduct