



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 24-0166

PUBLIC ADMONITION

**HONORABLE LEE “KENNY” PEREZ
FORMER PORT ISABEL MUNICIPAL JUDGE
PORT ISABEL, CAMERON COUNTY, TEXAS**

During its meeting on August 7, 2024, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Lee “Kenny” Perez, Former Port Isabel Municipal Judge, in Port Isabel, Cameron County, Texas. Judge Perez was advised by letter of the Commission’s concerns and did not provide a written response. On August 7, 2024, Judge Perez appeared before the Commission and gave testimony regarding this matter.

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 Lee “Kenny” Perez, was a judge of the Port Isabel Municipal Court, in Port Isabel, Cameron County, Texas.
2. Judge Perez was required to take 16 hours of judicial education every Academic Year¹ as a municipal judge.
3. Judge Perez did not complete the required 16 hours of judicial education for the 2022-2023 Academic Year.
4. Judge Perez did not seek a waiver for the educational requirements for the 2022-2023 Academic Year.

¹ Academic Year is from September 1st – August 31st.

5. On December 20, 2023, the Commission mailed a Letter of Inquiry to Judge Perez to the mailing address of the court. He was asked to provide a written response on or before January 5, 2024. Judge Perez did not respond.
6. On February 14, 2024, the Commission called Judge Perez's law firm and spoke to Ori Martinez, Judge Perez's legal assistant, who provided Judge Perez's email address. The Commission emailed the Letter of Inquiry to the provided email address and asked Judge Perez to provide a written response on or before February 23, 2024.
7. On February 15, 2024, Mr. Martinez contacted the Commission and stated he discussed the Letter of Inquiry with Judge Perez. According to Mr. Martinez, Judge Perez indicated he did not complete his judicial education because he was hardly called as a judge, and he received more law firm business. Therefore, Judge Perez eventually ceased being an associate judge. The Commission explained to Mr. Martinez that Judge Perez would need to respond to the Letter of Inquiry, to include the information discussed, and send his response to the Commission. Judge Perez did not respond.
8. During his appearance before the Commission, Judge Perez testified that he was an alternate judge in the City of Port Isabel.
9. According to Judge Perez, in December 2021, he was asked by a member of the Port Isabel City Council to do them a favor by serving as the municipal court judge and, after being sworn in, he was placed on a rotation to preside in municipal court. After his law firm increased in size, Judge Perez contacted the Port Isabel City Manager and asked to be taken off the rotation but he never resigned his position as an alternate municipal court judge in writing.
10. Judge Perez testified he is also an alternate judge for the City of Laguna Vista, but has only been called once regarding a warrant that needed to be signed.
11. Judge Perez testified, though Mr. Martinez informed him of the conversation with the Commission on February 15th, he was not informed about receiving the Letter of Inquiry or the need to provide a written response to the Commission.
12. Judge Perez apologized for not taking the required judicial education and stated he no longer wanted to be a judge. However, Judge Perez testified that if either city asked for his help regarding municipal court, he was willing to help those cities.

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct provides, in relevant parts, "A judge shall comply with the law ..."
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 his duties or casts public discredit upon the judiciary..."
4. Section 33.001(b)(5) of Texas Government Code provides that a judge's failure to cooperate with the Commission constitutes "willful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties," and therefore a violation of Article V, Section 1-a(6)A of the Texas Constitution.

5. Rule 5a(2) of Rules of Judicial Education provides, in relevant parts, “Each Municipal Court Judge will, as an official duty: in each fiscal year thereafter, complete a minimum of 16 hours of instruction from the Texas Municipal Courts Education Center in the performance of the duties of office.”
6. Rule 9b of the Rule of Judicial Education provides: “After the end of each grant year, the Register will report to the applicable Education Committee the name of any judge or judicial officer who had not accumulated the minimum hours of education for that year, including such judges who are leaving office and do not plan to run for another term.”
7. Rule 10a of Rules of Judicial Education states: “Upon receipt of the reports required by Rule 9b, the applicable Education Committee will advise the named judges or judicial officers of the deficiency. Within 30 days of the receipt of such notice, the judge or judicial officer may submit a statement of the reasons that prevented compliance. Thereafter, unless the applicable Committee grants a waiver for good cause shown, it will report the name of the judge or judicial officer to the State Commission on Judicial Conduct by November 1.”

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 Lee “Kenny” Perez, Judge of the Port Isabel Municipal Court, in Port Isabel, Cameron County, Texas, should be publicly admonished for his failure to comply with the law and maintain professional competence in the law when he failed to complete his judicial education for the 2022-2023 Academic Year and failing to cooperate with the Commission’s investigation. Judge Perez’s failure in these respects constituted willful or persistent conduct that is clearly inconsistent with the proper performance of his duties and cast public discredit upon the judiciary or the administration of justice, in violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct, Section 33.001(b)(5) of the Texas Government Code 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(8) of the Texas Constitution in a continuing effort to protect the public and promote public confidence in the judicial system.

Issued this the 19 day of Aug, 2024.



Gary Steel
Chairman, State Commission on Judicial Conduct