



**BEFORE THE STATE COMMISSION  
ON JUDICIAL CONDUCT**

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**CJC No. 25-0232**

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**PUBLIC ADMONITION  
AND  
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE E. MASON MARTIN  
VISITING JUDGE  
CONROE, MONTGOMERY COUNTY, TEXAS**

During its meeting on May 13, 2026, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable E. Mason Martin, Visiting Judge, in Conroe, Montgomery County, Texas. Judge Martin was advised by letter of the Commission's concerns and provided a written response.

After considering the evidence before it, the Commission enters the following Findings and Conclusions:

**FINDINGS OF FACT**

1. At all times relevant hereto, Honorable E. Mason Martin was a Visiting Judge, in Conroe, Montgomery County, Texas.
2. Judge Martin presided over the following cases involving the Department of Family & Protective Services and the Stiteler family: (1) *In the Interest of J.M.Stiteler*, Cause No. 22-21330 (the "First Stiteler Case"); (2) *In the Interest of J.M.Stiteler*, Cause No. 24-22367 (the "Second Stiteler Case"); and (3) *In the Interest of J.M.Stiteler*, Cause No. 24-22445 (the "Third Stiteler Case"). In all three cases, a Court Appointed Special Advocate (the "CASA") was appointed to act as the child's Guardian ad Litem.
3. On May 24, 2024, during the adversary hearing in the Second Stiteler Case, Judge Martin did not allow the child's Guardian ad Litem to testify despite them being present and requesting to provide a best interest statement.

4. Judge Martin did allow the Guardian ad Litem to testify at the following hearing on July 19, 2024, in the Second Stiteler Case, but only after the Attorney ad Litem (“AAL”) notified him of the prior procedural error at the adversary hearing, and only after a ruling had already been made.
5. On September 6, 2024, at the adversary hearing in the Third Stiteler Case, the Guardian ad Litem specifically requested to give their best interest statement and report prior to Judge Martin making his ruling.
6. At the following hearing in the Third Stiteler, Judge Martin only allowed the Guardian ad Litem to present their report after the AAL specifically requested it.
7. On December 20, 2024, during an emergency hearing in the Third Stiteler Case, Judge Martin only allowed the Guardian ad Litem to testify after the AAL specifically requested it once again.
8. Additionally, Judge Martin initially stated Guardian ad Litem’s testimony was “not necessary,” and only allowed the Guardian ad Litem to testify after stating they believed they had “necessary, relevant, or appropriate” testimony.
9. In his response to the Commission, Judge Martin denied failing to comply with and maintain professional competence in the law because the Guardian ad Litem ultimately was allowed to testify at the emergency hearing.

### **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. Canon 3B(2) of the Texas Code of Judicial Conduct provides, in relevant part, “A judge ... shall maintain professional competence in [the law] ...”
3. Section 107.002(e) of the Texas Family Code provides, “Unless the guardian ad litem is an attorney who has been appointed in the dual role and subject to the Texas Rules of Evidence, the court shall ensure in a hearing or in a trial on the merits that a guardian ad litem has an opportunity to testify regarding, and is permitted to submit a report regarding, the guardian ad litem's recommendations relating to: (1) the best interests of the child; and (2) the bases for the guardian ad litem's recommendations.”

### **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 E. Mason Martin, Visiting Judge, in Conroe, Montgomery County, Texas, should be publicly admonished and ordered to obtain additional education for failing to comply with and maintain professional competence in the law when he failed to ensure that the Guardian ad Litem testified at hearings in the Second and Third Stiteler Cases, in violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.

Pursuant to this Order, Judge Martin must obtain **two (2) hours** of instruction with a mentor, in addition to his required annual judicial education for Fiscal Year 2026. In particular, the Commission desires that Judge Martin receive **two (2) hours** of this additional education in the area of guardian ad litem. Pursuant to the authority contained in Section 33.036 of the Texas Government Code, the Commission authorizes the disclosure of certain information relating to this matter to the Texas Center

for the Judiciary to the extent necessary to enable that entity to assign the appropriate mentor for Judge Martin.

Judge Martin shall complete the additional **two (2) hours** of instruction recited above within **60 days** from the date of written notification of the assignment of a mentor. Upon receiving such notice, it is Judge Martin's responsibility to contact the assigned mentor and schedule the additional education.

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 3<sup>d</sup> day of June, 2026.

  
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Gary Steel  
Chair, State Commission on Judicial Conduct