

**SUBJECT:** Amending certain provisions on SCJC complaints and sanctions

**COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment

**VOTE:** 5 ayes — Leach, Murr, Schofield, Slawson, Vasut  
3 nays — Julie Johnson, Flores, Moody  
1 absent — Davis

**WITNESSES:** For — (*Registered, but did not testify:* M Paige Williams, Dallas Criminal District Attorney John Creuzot)  
Against — None  
On — Jacqueline Habersham, Zindia Thomas, State Commission on Judicial Conduct

**BACKGROUND:** Concerns have been raised that judges against whom proceedings have been initiated by the State Commission on Judicial Conduct (SCJC) are not required to be suspended and may still be named on a list of retired or former judges allowed to be assigned cases, if otherwise qualified.

**DIGEST:** HB 3452 would require the State Commission on Judicial Conduct (SCJC) to collect a sworn statement from each person who filed a complaint against a judge attesting that the contents of the complaint are true to the best of the person's knowledge.  
  
Under the bill, only judges who received sanctions or censures that were public, including a public admonition or warning, would be entitled to a review of the commission's decision by a special court of review. The special court of review would be required to review sanctions issued in an informal proceeding in the same manner as sanctions or censures issued in a formal proceeding, rather than in a trial de novo. The bill also would establish that the court's decision would be appealable only by the commission in an appeal to the supreme court.

Upon initiation of formal proceedings, the SCJC would be required to suspend a judge from office without pay pending final ruling within 10 days of the appointment of a special master, unless the special master made a recommendation against the suspension.

The bill also would add the requirement that to be on the list of retired or former judges subject to assignment, a judge could not have received more than one public sanction from the SCJC that was determined to be warranted by a court of review.

The bill would take effect September 1, 2023.