



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 20-0001

PUBLIC REPRIMAND

**HONORABLE JEFF FLETCHER
FORMER JUDGE OF THE 402ND JUDICIAL DISTRICT COURT
QUITMAN, WOOD COUNTY, TEXAS**

During its meeting on August 6, 2021, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Jeff Fletcher, Former Judge of the 402nd Judicial District Court, Quitman, Wood County, Texas. Judge Fletcher was advised by letter of the Commission's concerns and provided written responses.

BACKGROUND

Judge Fletcher presided over Cause No. 2016-200, *In the Interest of A.S.R.*, a suit affecting the parent-child relationship. Judge Fletcher signed temporary orders following a modification proceeding in the matter in March 2019. On July 29, 2019, the child's father, Charles Laird ("Laird"), filed a Motion for Writ of Attachment, and the following day, a Motion for Enforcement, alleging Mary Rojas ("Rojas"), the child's mother, had taken the child and refused to return her, failed to pay child support, and failed to submit to drug testing, all in violation of the temporary orders. Laird's Motion for Enforcement requested criminal contempt sanctions against Rojas, including 180 days in the county jail.

Although no citation was issued and Judge Fletcher did not sign a show cause order setting a hearing, Laird's counsel notified Rojas by certified mail and email of an August 2, 2019, hearing on Laird's motion. The morning of the August 2nd hearing, Rojas filed a *pro se* motion for continuance and request for appointed counsel. When Rojas appeared at the enforcement hearing that afternoon, Judge Fletcher did not advise Rojas of her right to counsel; ignored her request for court appointed counsel; denied her motion for continuance; and proceeded to conduct a hearing on the enforcement motion as well as other matters. Following the hearing, Judge Fletcher sentenced Rojas to 180 days in the Wood County Jail -- 3 days beginning the next day with the balance suspended, subject to Rojas complying with court orders, including the payment of arrearages, costs, and attorney's fees.

In his responses to the Commission's written inquires, Judge Fletcher confirmed that he failed to advise Rojas of her right to counsel, did not obtain a waiver of counsel, and did not advise her of her rights under the Fifth Amendment to the United States Constitution.

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

FINDINGS OF FACT

1. At all relevant times, the Honorable Jeff Fletcher was judge of the 402nd Judicial District Court, Quitman, Wood County, Texas.
2. Judge Fletcher presided over Cause No. 2016-200, *In the Interest of A.S.R.*, a suit affecting the parent-child relationship.
3. In that matter, the child's father, Charles Laird, filed a Motion for Writ of Attachment on July 29, 2019, and a Motion for Enforcement the following day, alleging Mary Rojas, the child's mother, had taken the child and refused to return her, had failed to pay child support, and had failed to submit to drug testing.
4. The Motion for Enforcement requested criminal contempt sanctions against Rojas, including 180 days in the county jail.
5. No citation was issued on the Motion for Enforcement and Judge Fletcher did not sign a show cause order setting a hearing, but Laird's lawyer notified Rojas by certified mail and email of an August 2, 2019, hearing on the Motion for Enforcement.
6. The morning of the enforcement hearing, Rojas filed a *pro se* Motion for Continuance and a request for appointed counsel.
7. At the enforcement hearing on August 2, 2019, Judge Fletcher denied Rojas' Motion for Continuance, failed to advise Rojas of her right to counsel, ignored her request for court appointed counsel; and failed to advise her of her rights under the Fifth Amendment to the United States Constitution.
8. Judge Fletcher conducted a hearing on the Motion for Enforcement, found Rojas in contempt and sentenced her to 180 days in the Wood County Jail -- 3 days beginning the next day with the balance suspended, subject to Rojas complying with court orders, including the payment of arrearages, costs, and attorney's fees.

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct provides, in pertinent part, that "a judge shall comply with the law."
2. Canon 3B(2) of the Texas Code of Judicial Conduct states, in pertinent part, that "a judge should be faithful to the law and shall maintain professional competence in it."
3. Canon 3B(5) of the Texas Code of Judicial Conduct provides, "a judge shall perform judicial duties without bias or prejudice."
4. Canon 3B(8) of the Texas Code of Judicial Conduct states, in pertinent part, that "a judge shall accord every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law."

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 Jeff Fletcher, former judge of the 402nd Judicial District Court of Wood County, Texas, should be publicly reprimanded for: (i) failing to recognize Rojas received improper notice of a contempt proceeding in which she faced incarceration; (ii) failing to admonish Rojas of her right to counsel, including her right to appointed counsel if indigent; and (iii) as a consequence of those failures, proceeding to trial, finding Rojas in contempt and sentencing her to a term in county jail, willful and persistent conduct in violation of Canons 2A, 3B(2), 3B(5) and 3B(8) of the Texas Code of Judicial Conduct.

The Commission has taken this action pursuant to the authority conferred it in Article V, §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 29th day of October, 2021.



David Hall

Chairman, State Commission on Judicial Conduct