

May 24, 2004

Honorable Jay T. Finch  
Circuit Judge, Nineteenth Judicial District West  
Administration Building  
203 East Central Street  
Bentonville, AR 72712

**LETTER OF ADMONISHMENT**

RE: Complaint Nos. 02-436, 02-445 & 03-282

Dear Judge Finch:

During its May 21, 2004 meeting, the Judicial Discipline and Disability Commission decided to issue a Letter of Admonishment to you in connection with Complaint Numbers 02-436 and 02-445. In the investigation of those complaints, the Commission found you violated the Code of Judicial Conduct.

Those two complaints, which were filed by anonymous complainants, alleged, *inter alia*: That on more than a few occasions, you were unable to control your temper both in and out of court; That you displayed an injudicious temperament towards some litigants, witnesses and attorneys who appeared before you as well as some court staff and that your injudicious temperament delayed or impaired the dispensation of justice in your courtroom; That you were rude and discourteous to other public officials and court staff; and, That you were absent from work frequently and regularly in 2002 and the early part of 2003.

In your appearances before the Commission, you acknowledged that your temper had been a problem in 2002, you admitted that some of your comments to and about certain public officials and court staff were inappropriate, and you confessed that you had been absent from work more in the year 2002 than in any other year that you have occupied the bench. Other allegations and information obtained during the Commission's investigation of these complaints were unrefuted.

The Judicial Discipline & Disability Commission found that some of your actions, including your admitted conduct, was in contravention of Canons 2(A), 3(A), 3(C)(1), and 4(A)(3) of the Code of Judicial Conduct. The Commission found that there was insufficient evidence to support the allegations contained in Complaint No. 03-282 (that your case coordinator was fired in improper retaliation) and dismissed that complaint.

For your aforementioned conduct in violating the Code of Judicial Conduct, it was the decision of the Commission that you be admonished. The Commission indulges the expectation that this conduct will not be repeated. This public admonition constitutes adequate discipline and no further action is warranted. This Commission action is public information.

For the Commission,

James A. Badami  
Executive Director

JAB/wls

cc: Nate Coulter, Esq.  
Barbara Burgess