

November 19, 2002

Honorable Phil Shoffner  
Searcy District Court  
107 East Center  
Searcy, AR 72143

**LETTER OF ADMONISHMENT**

RE: Complaint No. 02-116

Dear Judge Shoffner:

During its November 15, 2002 meeting, the Judicial Discipline and Disability Commission decided to issue a Letter of Admonishment to you in Complaint Number 02-116. In the investigation of that complaint the Commission found you violated the Code of Judicial Conduct.

The complaint, filed by Daisy Hays, alleged that you displayed injudicious temperament during a hearing. Subsequent investigation of that complaint revealed that you took judicial action on a matter involving your son by directing he be placed on six months probation and that he attend defensive driving school. The investigation also revealed that you, in two cases, rescinded driver's license suspensions contrary to the provision of A.C.A. 27-16-915 making suspensions of driver's licenses mandatory in certain situations. This was done in instances where the appropriate deputy prosecuting attorney was notified only after the sentences were changed.

The Judicial Discipline and Disability Commission found that your taking judicial action in your son's case and your setting aside mandatory six month suspensions of driver's licenses required by law were in contravention of provisions of the Code of Judicial Conduct.

The Commission notes that you have agreed to be more circumspect when dealing with litigants at hearings and that you have changed the procedures for processing motions, particularly the manner of your reviewing those motions in noting if the other party has been properly served.

For your conduct in violating the Code of Judicial Conduct, it is the decision of the Commission that you be admonished. This public admonition constitutes adequate discipline and no further action is warranted. This Commission's action is public information.

For the Commission,

James A. Badami  
Executive Director

cc: Daisy Hays  
Attorney Lee Biggs