

March 15, 1999

Judge Steve Inboden
Trumann Municipal Court
P.O. Box 22
Trumann, AR 72472

RE: Case # 98-273

Dear Judge Inboden:

At a hearing on March 12, 1999, the Judicial Discipline and Disability Commission reviewed a sworn complainant, your response, the result of its investigation, and other material including your sworn testimony. In summary, it was alleged that you witnessed an apparent larceny, directed a police officer to issue a citation for the infraction, and later, presided at the trial concerning that matter. It was also alleged that during court proceedings, you use chewing tobacco.

The facts developed showed that while presiding in court, a Mr. Reed entered the courtroom and announced that two (2) women were removing property from his pick-up truck. Looking through the courtroom window, you observed Mrs. Campbell and Ms. Whitlatch removing the items from the rear of Mr. Reed's truck and carrying the items to a nearby parked car. You asked a police officer in the courtroom to have the women return the items to Mr. Reed, and write each of them a citation for theft. You also directed that the police officer give them the same court date as Mr. Reed had been given to appear for trial in a related matter. On September 28, 1998, you presided at the trial concerning the charges that were pending against Mrs. Campbell and Ms. Whitlatch. After hearing the evidence in these cases, you dismissed the charges. During these hearings and during other court proceedings, you use chewing tobacco. You keep a cup or can on the bench and spit occasionally, but try not to be offensive about it. You also lean back in your chair, propping your feet up on a railing, while listening to testimony.

The Judicial Discipline and Disability Commission found that under the circumstances described

above, in your observing the two (2) women removing property, having a citation issued to them, and later, presiding at their criminal trials was in violation of the Code of Judicial Conduct. Your actions denigrated the public confidence of the judiciary, and was inconsistent with maintaining the high standards of conduct essential in preserving the integrity and impartiality of the judiciary.

Your use of chewing tobacco and spitting into a cup or can, and leaning back in your chair and propping your feet up on a rail while listening to testimony is a failure to maintain the requisite dignity and decorum needed in a courtroom and is in violation of the Code of Judicial Conduct. The Commission indulges the expectation that this conduct will not be repeated.

Your conduct in these matters constitutes a violation of Canons 2A, 3B(3), and 3E of the Arkansas Code of Judicial Conduct. It is the judgment of the Commission that you be admonished. This public admonishment constitutes adequate discipline and no further action is warranted.

This Commission action is public information.

BY DIRECTION OF THE COMMISSION:

James A. Badami
Executive Director

cc: Mavis Campbell

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