



Judicial Discipline & Disability Commission

JUDGE RICE VAN AUSDALL
CHAIRMAN

323 Center Street • Suite 1060
Little Rock, AR 72201
(501) 682-1050 • Fax: (501) 682-1049
E-Mail: jddc@mail.state.ar.us

JAMES A. BADAMI
EXECUTIVE DIRECTOR

November 22, 1999

Judge W. Q. Hall
Huntsville Municipal Court Judge
P.O. Box 7
Huntsville, Arkansas 72740

RE: Case # 98-284

Dear Judge Hall:

At a hearing on November 19, 1999, the Judicial Discipline and Disability Commission reviewed a sworn complainant, the additional Statement of Allegations, your responses, the result of its investigation, and other material including your sworn testimony. In summary, it was alleged that you engaged in ex-parte communications with bank officials by reviewing available bank records which were the relevant evidence in a Small Claims case. During a court proceeding at which neither the plaintiff nor defendant appeared, you lambasted the husband of the defendant and later, entered judgment on behalf of the plaintiff.

The Commission found that on May 21, 1998, the First Nation Bank of Huntsville filed a Small Claims lawsuit against Mary Stone. Some time during the first week of August 1998, you went into the First Nation Bank of Huntsville and spoke with a bank representative. You reviewed the bank's documents and evidence that it had in the claim against the defendant, Mary Stone. You indicated that the bank had sufficient documentation to proceed with the case. At that time the defendant, Mary Stone, was not present.

On September 10, 1998, when the case of First National Bank of Huntsville v. Mary Stone was called in the Huntsville Municipal Court, neither party appeared. The matter was not heard. You, nevertheless, entered judgment that day in favor of the First National Bank of Huntsville.

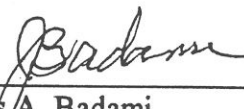
After the First National Bank of Huntsville v. Mary Stone case was called, Mr. Bob Bishop stated he wished to appear and represent Mary Stone. Mr. Bishop called you a "one-

armed bandit". After stating that "no son of a bitch calls me a one-armed bandit", you told Mr. Bishop that you yield to no one who insults your integrity or makes a disparaging remark to the fact that you have a disability. At the time of this outburst, only court personnel, you, and Mr. Bishop were in the courtroom.

The Judicial Discipline and Disability Commission found your conduct, as described above, to be a violation of Canons 1, 2A, 3B(3), 3B(4), and 3B(7) of the Code of Judicial Conduct. The Commission indulges in the expectation that you will not continue or repeat this type of conduct. Your actions were inconsistent with maintaining the high standards of conduct essential in preserving the integrity and impartiality of the judiciary. It is the judgment of the Commission that you be admonished. This 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: Bob Bishop