

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 03-008

RESPONDENT: Seana Willing, Executive Director, State Commission on Judicial Conduct

DATE: January 23, 2004

SPECIAL COMMITTEE: Judge B. B. Schraub, Chairman; Judge Darrell Hester; Judge John Ovard; Judge Jeff Walker; Judge Olen Underwood

The applicant filed a complaint with the State Commission on Judicial Conduct (Athe Commission@) against a Texas judge. After investigating the complaint, the Commission dismissed it. The applicant requested information from the investigative file from the Commission. Specifically, the applicant wanted to know who had been interviewed by the Commission in the course of its investigation, and the content of those interviews. The applicant also asked the Commission to state which portions of the allegations were deemed to be untrue and for what reason(s). The Commission refused the request, and the applicant filed this appeal.

We find that the records in the Commission's investigative file are not judicial records for purposes of Rule 12, because they relate to the Commission's adjudicative function. *See* Rule 12 Committee Decisions 01-002 and 01-005.