



IN THE MATTER OF:
DOROTHEA BATISTE
Circuit Judge of Jefferson County,
Tenth Judicial Circuit of Alabama

ORDER

In an order dated August 6, 2013 ("the final order"), this Court found Judge Batiste guilty of violating various canons of judicial ethics and imposed various sanctions as a result of those violations. As this Court's final order states:

"In light of these findings, this Court hereby orders that Judge Batiste shall be suspended for a period of 90 days without pay. This suspension shall begin on the date of the final order. Additionally, the Court hereby orders Judge Batiste to attend the General Jurisdiction course at the National Judicial College in Reno, Nevada, in September 2013, or any other similar formal judicial training or educational opportunity as agreed to between Judge Batiste and the presiding circuit judge of Jefferson County. In the event that Judge Batiste has previously attended the General Jurisdiction course, Judge Batiste is hereby ordered to undertake such other training or educational course as may be agreed to between Judge Batiste and the presiding circuit judge of Jefferson County. This training may either be in a formal and structured training program--such as a continuing legal Education ('CLE') program or a judicial-college type program--or in the form of a mentoring program."

On November 1, 2013, the Judicial Inquiry Commission

("the JIC") filed in this Court a "Motion to Stay Judge Batiste's Reinstatement as a Circuit Judge and/or for Such Other Relief as the Court Deems Appropriate," asking this Court to "stay Judge Batiste's reinstatement as a circuit court judge for Jefferson County pending Judge Batiste's completion of all of the sanctions imposed upon her in [the final order]." Specifically, the JIC contends in its motion that "Judge Batiste has not undertaken and completed any other training or educational course nor has she engaged in or implemented a mentoring program" as required by this Court's final order and that this Court should "stay[] Judge Batiste's reinstatement as a circuit judge until this [C]ourt receives verification that [Judge Batiste] has met all of the requirements of this Court's Final Judgment and Sanctions order."

In her response, Judge Batiste asserts that she, in fact, has attended various CLE programs, and has registered for--or is scheduled to--attend upcoming CLE programs; she also asserts that she has "been in touch with Judge Quentin Brown, another [retired] judge in Jefferson County ... who has agreed to be [Judge Batiste's] continuing mentor on contempt issues

and jurisprudence generally."¹

Although the final order suspended Judge Batiste for 90 days, that order does not impose a 90-day time frame for Judge Batiste to comply with the education requirement, nor does it establish that the completion of the education requirement is a prerequisite for Judge Batiste's return to the bench. Accordingly, the JIC's motion is denied. This ruling does not, however, prevent the JIC from pursuing remedies to address the JIC's concern that Judge Batiste has not complied with the final order. Likewise, this order does not relieve Judge Batiste of her responsibility to comply with the education requirement of the final order; in an effort to forestall any further action by the JIC, Judge Batiste is encouraged to submit to this Court and the JIC evidence of her compliance with the education requirement of the final order.



J. MICHAEL JOINER
CHIEF JUDGE
COURT OF THE JUDICIARY

Dated: November 5, 2013

¹Although the JIC implies that Judge Batiste could have attended a course at the National Judicial College in October 2013, Judge Batiste submitted evidence that she was ill throughout October and would have been unable to attend the training.