



IN THE ALABAMA COURT OF THE JUDICIARY

In the Matter of:)	
LEON ARCHER)	
Probate Judge)	Court of the Judiciary
Tallapoosa County,)	Case No. 47
Alabama)	

AGREED-UPON AGGRAVATING AND MITIGATING FACTORS

Per the Agreement and Stipulation of Parties filed concurrently, the Alabama Judicial Inquiry Commission ("the Commission") and Probate Judge Leon Archer ("Judge Archer") offer this agreed-upon record of aggravating and mitigating factors to be reviewed by the Court of the Judiciary in its consideration of the sanctions proposed by the parties.

Aggravating Factors

- 1) The conduct occurred frequently over a one-month period.
- 2) Most of Judge Archer's conduct occurred inside the courthouse during working hours.
- 3) Judge Archer encouraged Ms. J.T. to call him on his direct office telephone number and invited Ms. J.T. to his office several times.
- 4) The conduct occurred through Judge Archer's Facebook page, with a profile that gave the appearance of being the

judge's official page, including a picture of him in his judicial robe and identifying him as "Probate Judge of Tallapoosa County, Alabama."

5) Although the conduct occurred through private messaging on Facebook, every message sent by Judge Archer identified the sender as "Judge Leon Archer."

6) The conduct was directed toward a former litigant in the Tallapoosa County Probate Court.

7) The conduct was susceptible to public disclosure and was disclosed to the community due to publication in at least three news articles.

8) Conduct of such nature endangers a judge's relationships with court staff, parties, and attorneys appearing before the judge.

Mitigating Factors

1) Judge Archer cooperated fully and honestly with the Commission during its investigation.

2) Judge Archer's communications with the former litigant were not carried out during a judicial proceeding or during the performance of his official duties.

3) The former litigant involved in the conduct did not have any matters pending before Judge Archer, and he took no official action involving her, her family or any of her interests.

4) Judge Archer has shown remorse and there is no indication the activity will be repeated.

5) Judge Archer understands the dangers of Facebook communications and the public nature of even "private" messages on social media.

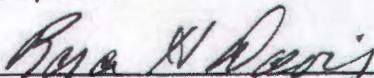
6) Judge Archer has deleted his Facebook page and no longer participates in social media.

7) The lack of vulnerability of the "victim."

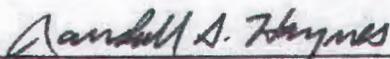
8) All contact between Judge Archer and the former litigant was by Facebook messaging. There was no sexual or physical contact.

9) Judge Archer admitted his conduct prior to any complaint being filed against him with the JIC.

Done this 3rd day of August, 2016.



Rosa H. Davis
Attorney for the Commission



Randall S. Haynes
Attorney for Judge Leon Archer