

IN THE ALABAMA COURT OF THE JUDICIARY

In the Matter of:)
EARLEAN ISAAC)
Probate Judge) Court of the Judiciary
Greene County, Alabama) Case No. 48



AGREEMENT AND STIPULATION OF THE PARTIES

The Alabama Judicial Inquiry Commission ("the Commission") and Probate Judge Earlean Isaac ("Judge Isaac") enter this agreement and stipulation of facts regarding the Complaint filed in this case in the Court of the Judiciary by the Commission alleging Judge Isaac's violations of the Alabama Canons of Judicial Ethics.

The Commission and Judge Isaac agree and stipulate:

1. The Complaint filed by the Commission accurately states the facts upon which this proceeding is based.
2. The Commission can prove all of the facts alleged in the Complaint by clear and convincing evidence.
3. Upon trial of this matter and for aggravating purposes, the Commission would offer testimony of the following:
 - a. As the only judge in the Probate Court of Greene County, Alabama, Judge Isaac presided over the administration of her father's estate in which she had

a financial interest as an heir and in which her sister was administratrix;

b. As part of a clear pattern of similar conduct, Judge Isaac also presided over the administration of an estate in which her nephew, Jeffrey Moore, Sr., was a possible heir, and ruled on a petition for legitimation filed by her sister;

c. Judge Isaac shed any semblance of impartiality when, prior to the Letters of Administration even being issued in her father's estate, she advised the future administratrix, her sister, as to who should and should not be recognized as heirs to the estate, and continually discarded any impartiality by consistently taking positions adversarial to the administratrix throughout the probate of the estate;

d. Judge Isaac admits a sister raised the issue of Judge Isaac's potential recusal arising from issues with Christine Turner's interest in the estate;

e. In a personal letter to a third party, Judge Isaac misused her title as Probate Judge to give extra weight to a request for documentation concerning a debt owed by an heir's estate;

f. On numerous occasions Judge Isaac notarized documents and forms concerning proceedings before her that potentially exposed her to being called as a witness in those same proceedings;

g. Judge Isaac initially claimed she did not breach any Canons by presiding over her father's estate;

h. Judge Isaac admits to having been unfamiliar with the Canons at the time of the violations;

i. Judge Isaac admits to not having familiarized herself with the Canons after receiving the Commission's investigation letter detailing the alleged violations of the Canons under investigation;

j. Judge Isaac, a probate judge for 27 years, should have been familiar with the high standards expected for judicial conduct; and

k. The actual or potential for harm to the judiciary, to the parties involved, and to the public's perception of the fairness of the judicial system was significant.

4. Based on the foregoing, the Commission and Judge Isaac agree to the appropriateness of the Court of the Judiciary entering a judgment finding that Judge Isaac violated Canons 1, 2, two provisions of 2A, 2B, 2C, 3A(1),

3A(4), and numerous provisions of 3C(1), and jointly request the following resolution of this Complaint:

a. Judge Isaac immediately retire and agree to never again seek through election or appointment a judicial office in the state of Alabama;

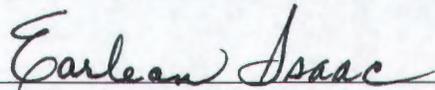
b. Judge Isaac be taxed with the costs of this prosecution allowed under Ala. R. Civ. P. 54 in the amount of \$ 806.95.

c. No additional sanction or penalty will be imposed.

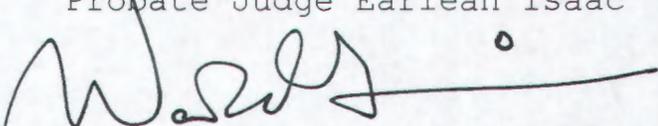
5. Judge Isaac waives her right under Rule 5, Ala. R. P. Ct. of Jud., to file an answer or other responsive pleading to the Complaint herein within thirty (30) days of its service upon her; waives her right under Rule 8, Ala. R. P. Ct. of Jud., to thirty (30) days' notice of the date and time for a hearing of the Complaint in this case and consents to a more expeditious setting of the hearing; and waives her right of appeal under Article VI, §157 of the Alabama Constitution, to the Alabama Supreme Court from any adjudicative order entered on the Complaint and any sanction based thereon imposed by the Court of the Judiciary.

8. Both parties waive any right under the requirement of Rule 10, Ala. R. P. Jud. Inq. Comm'n, that the alternate-dispute-resolution hearing be held more than 10 days before any trial set by the Court of the Judiciary.

Done this the 2nd day of August, 2016.



Probate Judge Earlean Isaac



Walter A. Griess
Attorney for Judge Isaac

Billy C. Bedsole
Chairman, Judicial Inquiry Commission

David Scott, First Vice-Chairman

Craig S. Pittman, Member

Dr. David R. Thrasher, Member

Kim J. Chaney, Member

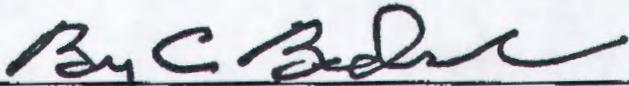
David A. Kimberly, Member

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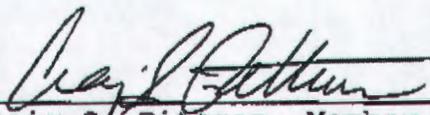
Probate Judge Earlean Isaac

Walter A. Griess
Attorney for Judge Isaac

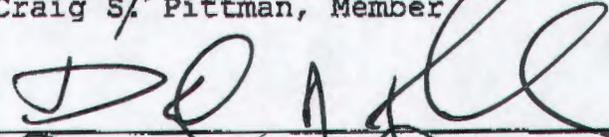


Billy C. Bedsole
Chairman, Judicial Inquiry Commission

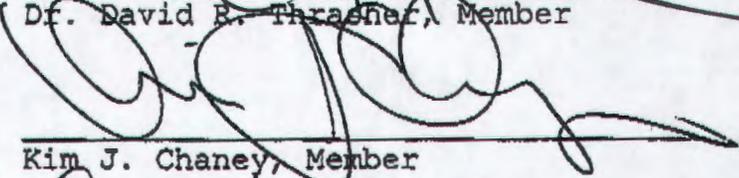
David Scott, First Vice-Chairman



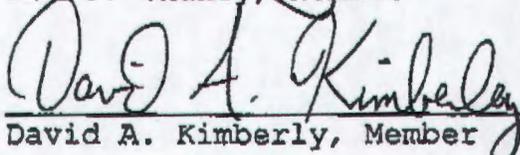
Craig S. Pittman, Member



Dr. David B. Thrasher, Member



Kim J. Chaney, Member



David A. Kimberly, Member

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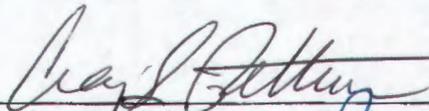
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 Probate Judge Earlean Isaac

 Walter A. Griess
 Attorney for Judge Isaac

 Billy C. Bedsole
 Chairman, Judicial Inquiry Commission

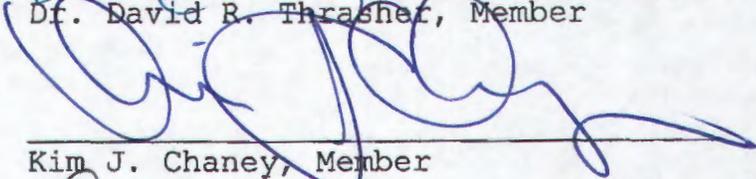
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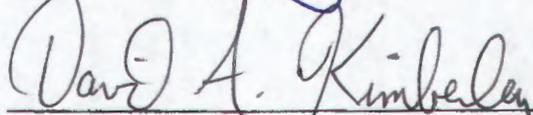
 Craig S. Pittman, Member



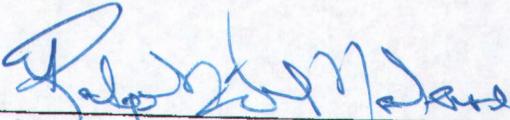
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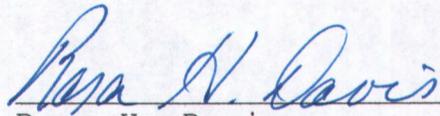
 David A. Kimberly, Member



Ralph D. Malone, Member

Rosa H. Davis
Attorney for the Commission

Ralph D. Malone, Member

A handwritten signature in blue ink that reads "Rosa H. Davis". The signature is written in a cursive style and is positioned above a horizontal line.

Rosa H. Davis
Attorney for the Commission