

IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

CHRISTOPHER M. KAMINSKI
DISTRICT JUDGE
COFFEE COUNTY

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CASE NO. 52



FINAL JUDGMENT

On July 16, 2019, the Alabama Judicial Inquiry Commission ("the Commission") filed a complaint with the Alabama Court of the Judiciary charging Christopher Kaminski with violating the Canons of Judicial Ethics in his capacity as a District Judge of Coffee County.

Pursuant to Rule 10, Rules of Procedure of the Judicial Inquiry Commission, the Commission and Judge Kaminski have submitted an "Agreement and Stipulation of the Parties" in which they jointly seek to resolve the charges in the complaint following a public hearing in accordance with Art. VI, § 157, Ala. Const. 1901 (Off. Recomp.) and Rule 16, R.P. Ala. Ct. Jud. For the purposes of the agreement and if the agreement is accepted, Judge Kaminski has expressly waived (1) his right under Rule 5, R.P. Ala. Ct. Jud., to file an answer or other responsive pleading to the complaint; (2) his right under Rule 8, R.P. Ala. Ct. Jud., to 30 days notice of the date and time for a hearing of the complaint; and (3) his

right of appeal under Art. VI, § 157, Ala. Const. 1901 (Off. Recomp.).

The complaint, among other things, "charges Judge Kaminski with certain conduct relating to his romantic relationship with an attorney who regularly practiced before him...as violating the Alabama Canons of Judicial Ethics and severely undermining the public's and the Bar's confidence in the integrity, independence, and impartiality of the judiciary." The complaint also includes allegations that Judge Kaminski improperly acquired and distributed a portion of a courthouse surveillance video recording. The complaint includes several pages of factual allegations detailing the conduct and circumstances that resulted in this matter being filed. The complaint alleges three specific counts against Judge Kaminski.

Count One contains four specific charges. Charge one of Count One states: "On numerous occasions, by appointing the attorney to cases while they were engaged in a romantic relationship, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, and 2B]." Charge two of Count One states: "On numerous occasions, by entering attorney's fee declarations orders for

the benefit of the attorney while they were engaged in a romantic relationship, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, and 2B]." Charge three of Count One states: "On numerous occasions, by taking judicial actions...in cases in which the attorney was an attorney of record while they were engaged in a romantic relationship, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, and 2B]." Charge four of Count One states: "On numerous occasions, by failing to timely/immediately disqualify himself from cases in which the attorney was an attorney of record while they were engaged in a romantic relationship, and even after they publicly acknowledged the relationship, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, 2B, and 3(c)(1)]."

Count Two contains two specific charges. Charge one of Count Two states: "By using the prestige of his office to gain access to courtroom-security footage to advance the private interests of the attorney and himself, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, 2B, and 2C]." Charge two of Count

Two states: "By supplying the footage to the attorney that she shared on social media, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, and 2C]."

Count Three contains a single charge, which states: "By failing to be completely forthright and truthful during the Commission's investigation, Judge Kaminski violated the following provisions of the Alabama Canons of Judicial Ethics: [Canons 1, 2, 2A, and 2B)."

In the "Agreement and Stipulation of the Parties," the Commission and Judge Kaminski submit the following to the Court:

1. The Commission and Judge Kaminski agree and stipulate to the following:
 - a. At all times relevant to this Complaint, Judge Kaminski was a District Court Judge in the County of Enterprise [sic], Alabama.
 - b. From June 2017 to the present, Judge Kaminski has maintained a romantic relationship with a local attorney ("the attorney").
 - c. At all times relevant to this Complaint, the attorney was based in Enterprise and frequently practiced before Judge Kaminski.

- d. Shortly after his divorce was finalized on February 26, 2018, Judge Kaminski and the attorney went public with their romantic relationship.
- e. During a period of their romantic relationship, Judge Kaminski engaged in a pattern and practice of 1) appointing the attorney to cases; 2) taking judicial actions in cases in which the attorney was an attorney of record, even after their relationship was publicly acknowledged; 3) entering attorney's fee declaration orders for the attorney's benefit; and, 4) failing to disqualify himself from cases in which the attorney was an attorney of record, even after their relationship was publicly acknowledged.
- f. On or about June 14, 2018, Judge Kaminski improperly used the prestige of his office to gain access to courtroom surveillance footage to advance the private interests of the attorney and himself.
- g. On or about November 28, 2018, Judge Kaminski's counsel submitted a response to the Commission regarding the allegations under investigation. On December 14, 2018, Judge Kaminski's counsel submitted a letter withdrawing the November 28 response.

2. Based on Judge Kaminski's resignation from

the bench on July 16, 2019, and the foregoing, the Commission and Judge Kaminski agree to the appropriateness of the Court of the Judiciary entering a judgment finding that Judge Kaminski violated Canons 1, 2, 2A, 2B, 2C, and 3C(1), as described in Counts I and II of the Complaint, and jointly request the following resolution of the Complaint:

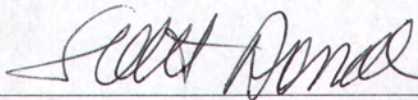
- a. Judge Kaminski be taxed with the costs of this prosecution allowed under Ala. R. Civ. P. 54 in the amount of \$2,346.67, to be paid within 90 days of entry of the final judgment.
- b. Judge Kaminski agrees to never again seek judicial office in the State of Alabama.
- c. No additional sanction or penalty be imposed.
- d. Count III of the Complaint be dismissed.
- e. Both parties agree not to make any public statements that are contrary to the terms of this Agreement.

The proposal was considered by the Court of the Judiciary at a public hearing held in the Supreme Court courtroom of the Judicial Building in Montgomery, Alabama on August 6, 2019. Both parties consented to the consideration of the proposal by a majority of the Court but less than all members of the Court. The Court of the Judiciary accepts the proposal of the

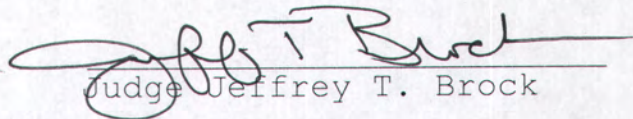
parties and hereby ORDERS the following:

1. Judge Kaminski is adjudicated guilty of violating Canons 1, 2, 2A, 2B, 2C, and 3C(1), as described in Counts One and Two of the Complaint. Count Three of the complaint is dismissed.
2. Judge Kaminski is taxed with the costs of this proceeding allowed under Ala. R. Civ. P. 54 and the proceedings before the Judicial Inquiry Commission including the amount of \$2,346.67, to be paid within 90 days of entry of this judgment.
3. Judge Kaminski agrees to never again seek judicial office in the State of Alabama.
4. Both parties agree not to make any public statements that are contrary to the terms of this Agreement.

Done and Ordered by the Alabama Court of the Judiciary
this the 6th day of August, 2019.



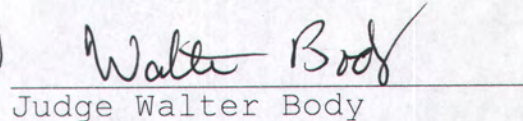
Judge Scott Donaldson,
Chief Judge



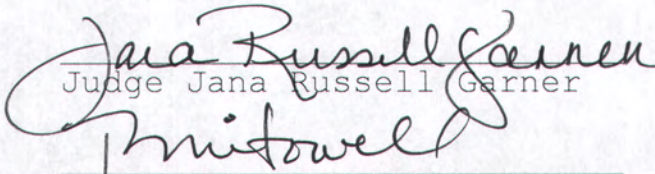
Judge Jeffrey T. Brock



Judge Lucinda Sanford Cannon



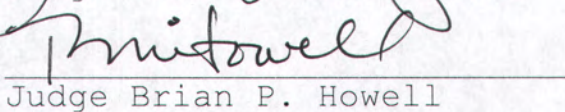
Judge Walter Body



Judge Jana Russell Garner



Judge Elisabeth A. French



Judge Brian P. Howell