

FILED

MAR - 2 2023

IN THE ALABAMA COURT OF THE JUDICIARY

ALABAMA COURT OF THE JUDICIARY
Nathan P. Wilson
Secretary

IN THE MATTER OF:

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STEVEN KING
CIRCUIT JUDGE
BLOUNT COUNTY

CASE NO. 63

FINAL JUDGMENT

On December 20, 2022, the Alabama Judicial Inquiry Commission (“the Commission”) filed a complaint with the Alabama Court of the Judiciary charging Judge Steven King with violating the Canons of Judicial Ethics in his capacity as a Circuit Court Judge in Blount County, Alabama.¹ On January 23, 2023, Judge King answered the complaint.

On February 7, 2023, the Commission and Judge King 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. 2022, and Rule 16, Rules of Procedure for the Alabama Court of the Judiciary. As part of the agreement, Judge King expressly waived his right to 30 days’ notice of

¹Judge King's six-year term as a circuit judge in Blount County, Alabama, expired in January 2023.

the date and time for a hearing of the complaint, and waived his right to appeal under Article VI, § 157, Ala. Const. 2022.

The complaint filed by the Commission includes several pages of factual allegations, detailing the conduct and circumstances that resulted in this matter being filed. The complaint alleges that Judge King's conduct was a violation of Canons 1, 2A, 2B, and 2C of the Alabama Canons of Judicial Ethics.

According to their joint agreement, Judge King and the Commission stipulate that the Commission could prove the following facts “by clear and convincing evidence”:

“In August of 2020, Judge King authored a letter (‘anonymous letter’) criticizing two Blount County Commissioners and a Warrior police officer, claiming they were unfit for public office. The anonymous letter was critical of other actions taken by the Blount County Commission.

“Judge King did not sign the anonymous letter, and nothing in the letter indicates that Judge King was the author.

“Judge King assembled packages containing the anonymous letter.

“A recording was included with the packages which contained a phone conversation between the police officer and one of the Blount County Commissioners in which racist and misogynistic language was used.

“The recording had been given to Judge King by a lawyer in the law firm that represented the police officer’s wife without Judge King’s having had any prior knowledge of the recording and without his having solicited a copy of the recording. Although when the recording was given to Judge King, he was told it could not be made public, he was later told by the same lawyer, without Judge King’s having inquired, that the law firm’s client, i.e., the police officer’s wife, had authorized the law firm to make the tape public.

“According to the anonymous letter, the packages were mailed to a group of eighteen media organizations and Blount County elected officials including the ‘Blount County Circuit Judge.’ Judge King is the only circuit judge in Blount County.

“On August 16, 2020, Judge King called an attorney ... and asked to meet with the attorney about issues Judge King had with a proposed new courthouse for Blount County. Judge King told [the attorney] he wanted to meet with him because [the attorney] was one of the two lawyers the Blount County Bar had designated to meet with the architects about the proposed new courthouse. Judge King told [the attorney] he also wanted to meet with the other attorney designated by the Bar. (Judge King had called the other attorney but was unable to talk with him. Judge King did later talk with the other attorney about the proposed new courthouse.)

“Because [the attorney] was in his car driving to his Birmingham office, Judge King met with him on August 16, 2020, at a fast-food restaurant in Pinson, Alabama. After discussing with [the attorney] his significant concerns about the proposed new courthouse, and after giving him some courthouse drawings to review and consider, Judge King asked [the attorney], who regularly practiced in the Blount County Circuit Court, to mail for him the packages, which Judge King had in his car.

“[The attorney], who was the primary lawyer in his law firm who represented the police officer’s wife and who was a law partner of the lawyer who had given Judge King the recording, agreed to mail the packages for Judge King, and, on August 18, 2020, [the attorney] mailed the packages from a post office in Birmingham, Alabama where his law firm had an office.

“Throughout all times material to this matter, Judge King undertook to maintain anonymity and did not want it know that he, or any judge, had written the anonymous letter or had made it public.

“On September 14, 2020, Judge King, acting in his individual capacity as a private citizen, handed a note to Probate Judge Chris Green, who is the Ex Officio Chair of the Blount County Commission, calling for the resignation of one of the Blount County Commissioners.

“Consistent with Judge King’s desire to remain anonymous, Judge King’s note to Judge Green stated, ‘On August 21, 2020, I received a copy of a video/audio recording of a conversation in which [a Blount County Commissioner] was one of the participants. The language and content of the conversation are racist and offensive. It is inappropriate for any elected official to engage in such conversation. As a result, I am calling for [that Blount County Commissioner] to resign as County Commissioner.’

“Prior to Judge King’s authoring the anonymous letter, Judge King had a tense relationship with the County Commissioner and had on occasions as a private citizen, and on other occasions as a member of the judiciary, made his feelings and positions on a number of matters known to the County Commission.”

(Agreement and Stipulation of the Parties, pp. 1-5 (paragraph number omitted).)

The Commission makes clear that the letters Judge King “wrote to the Blount County Commission as a private citizen and as a judge prior to authoring the anonymous letter” do not constitute a violation of the Canons. But the parties agree that Judge King’s actions concerning the anonymous letter constitute a violation of Cannons 1, 2, 2A, and 2B. The parties also agree to the following resolution:

“a. Judge King be adjudged guilty of violating Canons 1, 2, 2A, and 2B;

“b. Judge King be publicly censured and, further, that public censure be issued in a newspaper of general circulation in Blount County; and

“c. Judge King be taxed with the costs of this prosecution allowed to the Commission under Ala. R. Civ. P. 54, in the amount of \$1,116.50, and taxed with the costs to the Court of the Judiciary for the court reporter’s transcription of the public proceeding in that Court and for the Court’s publication of a Public Censure, should it issue one.”

The Court of the Judiciary considered the joint agreement and the proposed resolution at a public hearing held in the Heflin-Torbert Judicial Building on March 2, 2023. After giving it due consideration,

this Court accepts the parties' proposed resolution and hereby orders the following:

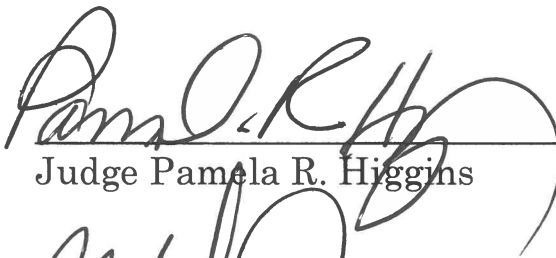
1. Judge King is adjudged guilty of violating Canons 1, 2, 2A, and 2B.
2. Judge King is publicly censured and the public censure will be issued in a newspaper of general circulation in Blount County.
3. Judge King is taxed with the costs of this prosecution allowed to the Commission under Ala. R. Civ. P. 54, in the amount of \$1,116.50, and is also taxed with the costs to the Court of the Judiciary for the court reporter's transcription of the public proceeding in this Court and for the Court's publication of a Public Censure. Costs to be paid in full on or before August 2, 2023.

Ordered this the 2nd day of March, 2023.

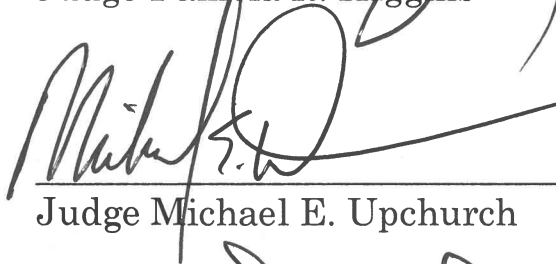

Chief Judge J. William Cole


Judge Elisabeth A. French

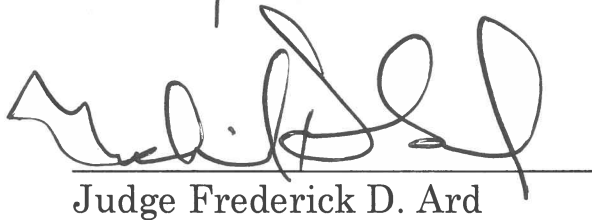

Judge J. Clark Stankoski

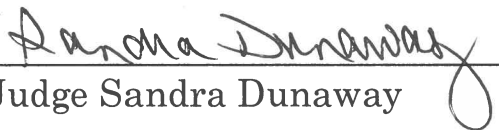

Judge Pamela R. Higgins


Judge Jana Russell Garner


Judge Michael E. Upchurch


Judge Walter Body


Judge Frederick D. Ard


Judge Sandra Dunaway