



**BEFORE THE
JUDICIAL STANDARDS COMMISSION**

INQUIRY NO. 08-290

PUBLIC REPRIMAND

**KEVIN M. BRIDGES
SUPERIOR COURT JUDGE
JUDICIAL DISTRICT 20A**

This matter came to the attention of the Judicial Standards Commission by a written complaint filed with the Commission. A formal investigation was ordered by the Commission and conducted by the Commission's investigator. During its meeting on May 6, 2009, the Commission completed its review of the investigative report prepared in this matter. The Commission caused a copy of this Public Reprimand to be personally served upon Judge Kevin M. Bridges. In accordance with Rule 11(b) of the Rules of the Judicial Standards Commission, a judge has 20 days within which to accept the Public Reprimand or to reject it and demand, in writing, that disciplinary proceedings be instituted in accordance with Rule 12 of the Rules of the Judicial Standards Commission.

Findings of Fact

1. Kevin M. Bridges was at all times referred to herein, prior to January 1, 2009, a judge of the General Court of Justice, District Court Division, Judicial District Twenty-A and, as such was subject to the Canons of the North Carolina Code of Judicial Conduct, the laws of the State of North Carolina, and the provisions of the oath of office for a district court judge as set forth in the North Carolina General Statutes, Chapter 11. Judge Bridges took the oath of office for a judge of the General Court of Justice, Superior Court Division, Judicial District Twenty-A on or about January 1, 2009.

2. This matter came to the attention of the Judicial Standards Commission by a written complaint filed with the Commission by Mrs. Faye Gathings of Lilesville, North Carolina. Gathings made allegations that Judge Bridges, on October 17, 2008, issued an Order to Show Cause to Gathings as to why she should not be held in criminal contempt of court for her distribution, on October 11, 2008, of political flyers alleging corruption on the part of Judge Bridges.
3. On October 11, 2008, Gathings attended the Peoples Fest in Wadesboro, North Carolina and handed out to the public, flyers entitled “Why You Shouldn’t Vote For Kevin Bridges For Superior Court”. Gathings maintained that she personally designed, printed and passed out the flyers at the event.
4. During the event, Gathings was approached by an individual she knew to be Mr. Henry Walker, who was distributing political literature endorsing Judge Bridges’ candidacy for election as a Superior Court Judge. Gathings and Walker exchanged flyers.
5. Shortly thereafter, Walker approached Gathings and told her that she should put her name on her flyer if she was going to say negative things about Judge Bridges. In response, Gathings signed the copy of the flyer she previously gave to Walker.
6. On October 17, 2008, Judge Bridges issued, sua sponte, an Order to Show Cause in Anson County File No. 05-CVD-511, which required Gathings to show cause “why she should not be held in criminal contempt of court for her willful publication of a report of the proceedings in a court that is grossly inaccurate and presents a clear and present danger of an imminent and serious threat to the administration of justice, made with knowledge that it was false or with reckless disregard of whether it was false.” The Order To Show Cause further stated “[T]he actions of Faye Gathings serve to undermine the authority of a duly commissioned judge of the General Court of Justice of the State of North Carolina, District Court Division, in the performance of his duties, and further, to tamper with the electoral process in retaliation for a ruling in the above referenced file that was adverse to her.” The hearing date was set for November 12, 2008 at 9:30 AM.
7. On October 17, 2008, the Order To Show Cause was personally served Gathings by a member of the Anson County Sheriffs Department.
8. Gathings’ flyer did not include any specific reference to Anson County File No. 05-

CVD- 511 and did not allege or refer to any specific court case involving Judge Bridges and Gathings.

9. Prior to issuing the Order To Show Cause, Judge Bridges stated he reviewed N.C.G.S. §5A-11(a)(5) and concluded Gathings' distribution of the flyer served as a basis for criminal contempt.
10. At some time after entering the Order To Show Cause, Judge Bridges consulted with attorneys from both the State Board of Elections and the Attorney General's Office regarding the Order To Show Cause. Judge Bridges was advised by counsel from both offices that Gathings' conduct could be considered political speech, and therefore protected even though it may have been contemptuous toward the court.
11. Judge Bridges, after having received said advice, concluded he may have looked at the incident too narrowly and immediately issued *sua sponte*, and filed, on October 24, 2008, an Order which "VACATED and DISMISSED" the Order To Show Cause.
12. The Order vacating the Order To Show Cause was served on Gathings via the United States Postal Service, deposited on October 24, 2008.
13. Judge Bridges cooperated fully with the investigation.

Conclusions

Judge Bridge's actions described above are in violation of the North Carolina Code of Judicial Conduct, including failure to personally observe appropriate standards of conduct to ensure that the integrity and independence of the judiciary shall be preserved (Canon 1), failure to respect and comply with the law and to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary (Canon 2A), a judge should be faithful to the law and maintain professional competence in it (Canon 3A(1)). Judge Bridges's actions constitute conduct prejudicial to the administration of justice that brings the judicial office into disrepute (N.C. Const. art IV, § 17 and N.C.G.S. § 7A-376(a)).

Corrective Action and Acceptance of Terms

Judge Bridges agrees that he will not repeat such conduct in the future, mindful of the

potential threat any repetition of his conduct poses to public confidence in the integrity and impartiality of the judiciary and to the administration of justice.

Judge Bridges agrees he will promptly read and familiarize himself with the Code of Judicial Conduct.

Judge Bridges further agrees that he will not retaliate against any person known or suspected to have cooperated with the Commission, or otherwise associated with this matter.

Judge Bridges affirms he has consulted with, or had the opportunity to consult with, counsel prior to acceptance of this Public Reprimand.

I, Kevin M. Bridges, hereby accept the terms contained in this Public Reprimand this the 14 day of August, 2009.

ORIGINAL SIGNED BY

Kevin M. Bridges

ORDER OF PUBLIC REPRIMAND

Now therefore, pursuant to the Constitution of North Carolina, Article IV, Section 17, the procedures prescribed by the North Carolina General Assembly in the North Carolina General Statutes, Chapter 7A, Article 30, and Rule 11(b) of the Rules of the Judicial Standards Commission, the North Carolina Judicial Standards Commission, hereby orders that Kevin M. Bridges, be and is hereby PUBLICLY REPRIMANDED for the above set forth violations of the Code of Judicial Conduct. Judge Bridges shall not engage in such conduct in the future and shall fulfill all of the terms of this Public Reprimand as set forth herein.

Dated this the 24th day of August, 2009.

ORIGINAL SIGNED BY

John C. Martin, Chairman
Judicial Standards Commission