



**Indiana Judicial Nominating Commission
Indiana Commission on Judicial Qualifications**

30 South Meridian Street, Suite 500

Indianapolis, Indiana 46204-3568

(317) 232-4706

FAX (317) 233-6586

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**PUBLIC ADMONITION OF
THE HONORABLE ROGER L. HUIZENGA
WALKERTON TOWN COURT**

The Indiana Commission on Judicial Qualifications, having determined that formal disciplinary charges are warranted, issues instead this Public Admonition against the Honorable Roger L. Huizenga, Walkerton Town Court in St. Joseph County. This Admonition is pursuant to [Supreme Court Admission and Discipline Rule 25 VIII E\(7\)](#) and with the consent of Judge Huizenga, who cooperated fully with the Commission in this matter and who acknowledges he violated the Code of Judicial Conduct.

The Commission admonishes Judge Huizenga for participating in an *ex parte* conversation with a defendant about the status of her traffic infractions and for assuming the role of the prosecutor when he negotiated a resolution to the defendant's case. On November 14, 2007, a defendant approached Judge Huizenga in his office about tickets she received for speeding and an expired license plate. Judge Huizenga informed the defendant that she would have to pay the speeding ticket, but the expired license plate ticket would be dismissed if the license plate was renewed within thirty days. The defendant agreed to the offer but later failed to renew her plate, which resulted in a suspension of her driver's license. No deputy prosecutor was present for the conversation between Judge Huizenga and the defendant.

Judge Huizenga acknowledges that this conduct violated Canons 1 and 2 of the Code of Judicial Conduct, which requires judges to ensure the fairness, impartiality, and integrity of the judiciary. He also admits that he violated Canon 3B(8), which forbids judges from initiating, permitting, or considering *ex parte* communications concerning a pending proceeding absent a true emergency in which irreparable danger would result if the court does not act without the benefit of notice to the other party and a hearing.

The Commission also admonishes Judge Huizenga for violating Canon 3C(4)¹ and Rule 2.12, which state that a judge should avoid nepotism and favoritism. The

¹ Canon 3C(4) of the former Code of Judicial Conduct applies to the wife's employment from 1995 through December 31, 2008. On January 1, 2009, the Indiana Supreme Court adopted a revised Code of Judicial Conduct in which Rule 2.12 replaced Canon 3C(4). Rule 2.12 applies to the continued employment after January 1, 2009.

Admonition stems from the fact that, from November 1995 through March 13, 2009, Judge Huizenga employed his wife as the court clerk. In 1998, the Commission issued an [Advisory Opinion](#) setting out guidelines and restrictions for judges considering hiring relatives or friends. In that opinion, Indiana judges were advised to contact the Commission to discuss the potential employment of relatives and further were informed that “the employment or appointment of a spouse likely will never be appropriate.” Judge Huizenga did not contact the Commission to ask about the propriety of his wife’s continued employment with the court. However, after the initiation of the Commission’s investigation, Judge Huizenga did cooperate with the Commission by encouraging his wife to resign, which she ultimately did.

This Admonition concludes the Commission’s investigation, and Judge Huizenga will not formally be charged with ethical misconduct.

Questions about this Admonition may be directed to Adrienne L. Meiring, Staff Attorney for the Commission, at (317) 232-4706. Judge Huizenga is represented by Fred Jones (574) 936-4031.