

**PUBLIC ADMONITION OF
THE HONORABLE CHARLES W. HUNTER
BEECH GROVE CITY COURT**

May 5, 2011

The Indiana Commission on Judicial Qualifications has determined that formal disciplinary charges are warranted against the Honorable Charles W. Hunter, Beech Grove City Court in Marion County. However, in lieu of filing formal disciplinary proceedings, the Commission issues this Admonition pursuant to Supreme Court Admission and Discipline Rule 25 VIII E(7) and with the consent of Judge Hunter. Judge Hunter cooperated fully with the Commission in this matter, acknowledges he violated the Code of Judicial Conduct, and apologizes for making statements unbecoming of a judicial officer.

The Commission admonishes Judge Hunter for inappropriate public comments he made in October 2010 to a television reporter who was investigating a story arising from a citizen complaint submitted to the television station by Charity Bryan. Judge Hunter's comments related to his son parking in a handicapped parking space in the court's public parking lot without having an appropriate placard displayed.

Charity Bryan, who is confined to a wheelchair, called the television station to complain about Judge Hunter's adjudication on a handicapped parking ticket. On May 27, 2010, a parking ticket was issued to Robert T. Bryan, Charity Bryan's husband, for parking in a handicapped parking space without displaying the appropriate placard, in violation of a city ordinance. Mr. Bryan appeared before Judge Hunter and denied liability for the ticket. After hearing testimony from Robert Bryan and the officer who issued the ticket, Judge Hunter found that Mr. Bryan violated the ordinance and imposed a fine of \$10.50 and mandatory court costs of \$114.50.¹

Charity Bryan subsequently was interviewed on camera by one of the station's reporters. Mrs. Bryan told the reporter that the handicapped placard usually displayed in the couple's vehicle accidentally had fallen in the car's interior the day the ticket was issued. During her interview, Mrs. Bryan stated that the ruling was unfair and that she was not going to pay the fine.²

¹ The Commission offers no commentary about Judge Hunter's ultimate decision on Mr. Bryan's case. The adjudication of Mr. Bryan's parking ticket is a matter of law to be taken up with an appellate tribunal rather than an issue of misconduct to be addressed by the Commission.

² The televised interview gave the incorrect impression that Mrs. Bryan, rather than Mr. Bryan, had been given the parking ticket. Judge Hunter believes that there were other factual inaccuracies in the story. The Commission offers no commentary on this subject, as it is only Judge Hunter's responses to the reporter which are the subject of this Admonition.

The reporter also spoke on camera with Judge Hunter about Mr. Bryan's case. Several days later, the reporter attended court proceedings when Mr. Bryan's case was again discussed in the court. After the court session, the reporter approached Judge Hunter, with a microphone and cameraman, in the court parking lot and asked, "Are you aware that you don't have a disabled placard and you're parked in a handicapped space?" Judge Hunter chuckled and answered, "Yes." At the time, Judge Hunter was using a transport chair and was waiting for help to get into his car.

The reporter continued to press Judge Hunter about the situation and, during the exchange, Judge Hunter's son retrieved the handicapped placard from the visor and placed it on the rearview mirror. When the reporter suggested that the Bryans had been faced with a similar situation, Judge Hunter stated, "I didn't get a ticket, did I?" The reporter then asked, "So, it's just their bad luck for having gotten a ticket?" Judge Hunter responded, "I guess so, yeah."

Judge Hunter acknowledges that he violated Rule 1.2 of the Code of Judicial Conduct which requires judges to act at all times in a manner that promotes the public's confidence in the judiciary and to avoid the appearance of impropriety. The Commission members believe it is important to stress that Judge Hunter is admonished because of the injudicious nature of his public comments.

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

Questions about this Admonition may be directed to Adrienne L. Meiring, Counsel for the Commission, at (317) 232-4706. Judge Hunter is represented by Kevin P. McGoff (317) 635-8900.