

**PUBLIC ADMONITION OF
THE HONORABLE REBEKAH F. PIERSON-TREACY
MARION SUPERIOR COURT**

November 29, 2011

The Indiana Commission on Judicial Qualifications has determined that formal disciplinary charges are warranted against the Honorable Rebekah F. Pierson-Treacy, Marion Superior Court. 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 Pierson-Treacy. Judge Pierson-Treacy cooperated fully with the Commission in this matter, acknowledges she violated the Code of Judicial Conduct, and apologizes for engaging in conduct unbecoming of a judicial officer.

The Commission admonishes Judge Pierson-Treacy for making inappropriate statements in a campaign fund-raising invitation which was distributed to Indianapolis-area attorneys, judges, business persons, and other professionals in August 2011. The objectionable material gave the appearance that specific campaign contributions could result in particular rulings.

Around August 15, 2011, invitations to a fundraiser to support the 2012 re-election campaign of Judge Pierson-Treacy were mailed to over six-hundred people in the Indianapolis area. The invitations notified potential donors that a fundraiser was to be held on September 15, 2011 at the office of a local attorney who is a co-chair of Judge Pierson-Treacy's campaign committee. In the text of the invitation, under a heading marked "Suggested Contributions," was a list of recommended monetary amounts with legal monikers next to them. The suggested contributions were written as:

\$150 "Sustained"
\$250 "Affirmed"
\$500 "So Ordered"
\$1000 "Favorable Ruling"

Recipients of the invitations then were directed to make checks payable to the "Re-Elect Judge Becky Committee" and to send the checks to a particular address.

Although the text of the invitation indicated that the material had been paid for and authorized by the Re-Elect Judge Becky Committee, the co-chairs to the committee (with the exception of Judge Pierson-Treacy's husband) and the treasurer to the committee never reviewed the invitation, were not involved in its creation, were unaware of the language on the invitation, and did not know when it was to be mailed. Instead, Judge Pierson-Treacy and her husband, Edward Treacy, created the fundraiser invitation.

Specifically, Judge Pierson-Treacy added the legal monikers to the “suggested contributions” section in an effort to make the invitation more interesting. Judge Pierson-Treacy then authorized the distribution of the invitations, and her husband’s staff mailed them out.

After the distribution, several media outlets received copies of the invitation from someone other than the judge or her husband. It was reported in some instances that the invitation gave the appearance that “justice was for sale” in the judge’s courtroom. There is no evidence the judge intended to barter rulings for contributions. Nonetheless, the content of the invitation presented a negative view of the judiciary. Although Judge Pierson-Treacy’s stated intent may have been to make the traditional graduated donation levels more entertaining, the injudicious language in her invitation likely gave the impression to members of the general public that the judge’s rulings could be influenced by campaign contributions.

Judge Pierson-Treacy acknowledges that her conduct 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 judiciary and Rule 4.2(A)(1) of the Code of the Judicial Conduct which requires judicial candidates to act at all times in a manner consistent with the independence, integrity, and impartiality of the judiciary.

This Admonition concludes the Commission’s investigation, and Judge Pierson-Treacy 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 Pierson-Treacy is represented by Kevin P. McGoff (317) 635-8900.