

INDIANA SUPREME COURT

In the Matter of the Honorable Mickey K. Weber, Judge of the
Clarksville Town Court

21 N.E.3d 92 (Ind. 2014) · No. No. 10S00-1409-JD-606 · Decided December 5, 2014

SUMMARY

The Indiana Supreme Court accepted a conditional agreement for discipline concerning Mickey K. Weber, Judge of the Clarksville Town Court. The Court found that Weber violated judicial conduct rules after driving under the influence in Kentucky and causing property damage, with prior alcohol-related legal issues serving as an aggravating factor. The Court imposed a public reprimand, required his resignation effective December 31, 2014, and made future judicial service contingent on completing an approved treatment plan and two-year monitoring agreement.

CASE DETAILS

COURT	Indiana Supreme Court
WRITING FOR THE COURT	Per Curiam; Rush, C.J.; Dickson, J.; Rucker, J.; David, J.; Massa, J.
JURISDICTION	Indiana
DECIDED	December 5, 2014
DOCKET	No. 10S00-1409-JD-606
DISPOSITION	other
PROCEDURAL POSTURE	Original judicial disciplinary proceeding brought by the Indiana Commission on Judicial Qualifications against a judge of the Clarksville Town Court. The parties jointly submitted a Statement of Circumstances and Conditional Agreement for Discipline, which the Indiana Supreme Court accepted.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Indiana Commission on Judicial Qualifications v. Mickey K. Weber

TOPICS

- administrative law
- agency adjudication
- municipal law

PRACTICE AREAS

- judicial discipline
- professional responsibility
- administrative law
- municipal law

QUESTIONS PRESENTED

1. Whether Weber's alcohol-related conduct violated Indiana Judicial Conduct Rules 1.1 and 1.2.
2. Whether the stipulated public reprimand, resignation, future judicial-service restriction, treatment and monitoring requirements, and assessment of costs constituted appropriate discipline.

HOLDINGS

1. Weber's alcohol-related driving, criminal conduct, and resulting convictions violated Judicial Conduct Rules 1.1 and 1.2.
2. The Court accepted the parties' conditional agreement and reprimanded Weber, required his resignation from the Clarksville Town Court effective December 31, 2014, made him ineligible for future Indiana judicial service unless he successfully completed an approved treatment plan and two-year JLAP monitoring agreement, and terminated the disciplinary proceedings concerning the underlying conduct.

FACTUAL BACKGROUND

On January 16, 2014, Mickey K. Weber, a Clarksville Town Court judge, was involved in an automobile accident in Louisville, Kentucky, damaging two parked cars and a fence. Police observed signs of intoxication after Weber admitted consuming too many beers, and he refused breathalyzer and blood testing. Weber later pleaded guilty to criminal mischief and operating a motor vehicle while under the influence of alcohol; the parties also stipulated that he had prior legal issues related to alcohol abuse.

PROCEDURAL HISTORY

The Commission filed formal disciplinary charges after Weber was arrested following an alcohol-related automobile accident in Kentucky and later pleaded guilty to criminal mischief and operating a motor vehicle while under the influence of alcohol. The parties stipulated to the relevant facts, violations, aggravating and mitigating circumstances, and proposed sanction. Exercising original jurisdiction, the Indiana Supreme Court accepted the agreement and imposed the proposed discipline.

DISPOSITION

other

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