

INDIANA SUPREME COURT

In the Matter of the Honorable J. Steven Cox, Judge of the Franklin
Circuit Court

In re Cox · No. 25S-JD-80 · Decided March 19, 2026

SUMMARY

The Indiana Supreme Court publicly reprimanded former Franklin Circuit Court Judge J. Steven Cox and permanently banned him from judicial service. The Court held that Cox violated judicial-conduct rules by engaging in and relying on ex parte communications with a criminal defendant in State v. Guilfoyle and by independently investigating facts relevant to the case. The participating justices disagreed on whether his categorical rejection of fixed-plea agreements constituted an ethical violation, but unanimously agreed on the sanction.

CASE DETAILS

COURT	Indiana Supreme Court
WRITING FOR THE COURT	Per curiam; Chief Justice Rush; Justice Molter; Justice Massa; Justice Slaughter
JURISDICTION	Indiana Supreme Court
DECIDED	March 19, 2026
DOCKET	25S-JD-80
DISPOSITION	other
PROCEDURAL POSTURE	Judicial-discipline proceeding brought by the Indiana Commission on Judicial Qualifications against a former circuit judge. After an evidentiary hearing before three special masters, the Indiana Supreme Court reviewed the masters' findings and the parties' arguments.
STANDARD OF REVIEW	The Commission bears the burden of proving judicial misconduct by clear and convincing evidence. The Supreme Court reviewed the special masters' findings and the parties' arguments in the original judicial-discipline proceeding.
PRECEDENTIAL VALUE	published
PARTIES	Indiana Commission on Judicial Qualifications v. J. Steven Cox

TOPICS

criminal procedure

plea bargaining

right to counsel

PRACTICE AREAS

judicial discipline

legal ethics

criminal procedure

plea bargaining

QUESTIONS PRESENTED

1. Whether Judge Cox violated the Code of Judicial Conduct by engaging in unnotified ex parte communication with a criminal defendant and the defendant's parents concerning substantive matters in a pending case.
2. Whether Judge Cox independently investigated facts and relied on information obtained through the ex parte communication when ruling on motions concerning the defendant's competency and mental condition.
3. Whether Judge Cox's retirement from judicial and legal practice rendered the disciplinary proceeding moot.
4. Whether Judge Cox's categorical rejection of fixed-sentence plea agreements violated the Code of Judicial Conduct.

HOLDINGS

1. Judge Cox violated Judicial Conduct Rules 2.9(A) and 2.9(C), as well as Rules 1.2, 2.2, and 2.6, by visiting the criminal defendant without notice, discussing substantive health and mental-condition matters with the defendant and the defendant's parents, failing promptly to notify the parties and provide an opportunity to respond, and relying on the resulting information in ruling on pending motions.
2. The disciplinary proceeding was not moot because Judge Cox could seek reinstatement and could subsequently serve as a senior judge or judge pro tempore.
3. The maximum sanction available under the circumstances was warranted: a public reprimand and permanent ban from serving as a judicial officer.
4. The Court did not decide whether Judge Cox's de facto policy of rejecting fixed-sentence plea agreements violated the Code of Judicial Conduct. Chief Justice Rush would have found a violation, but the other participating Justices declined to reach the issue.

KEY QUOTATIONS

“Respondent’s permanent ban from judicial service and a public reprimand.” (1)

“We cannot suspend Respondent because he is no longer on the bench. But for the foregoing reasons, we believe that preserving the integrity of the judiciary and ensuring the fair administration of justice require us to impose the maximum sanction available under the circumstances—a public reprimand and permanent ban from serving as a judicial officer.” (10)

“Due to his egregious misconduct, the Honorable J. Steven Cox is hereby publicly reprimanded and permanently banned from judicial service.” (10)

FACTUAL BACKGROUND

While presiding over a Level 1 felony case, Judge J. Steven Cox visited the criminal defendant at the defendant's parents' home without notifying the parties. Cox questioned the defendant and his parents about the defendant's physical and mental condition, and later relied on the visit and resulting observations when denying requests for competency and psychiatric evaluations. Cox also maintained a policy of rejecting written fixed-sentence plea agreements, although the Court did not ultimately decide whether that policy violated the Code of Judicial Conduct.

PROCEDURAL HISTORY

The Commission filed and later amended a formal complaint alleging ex parte communication, reliance on that communication, and a de facto policy rejecting written plea agreements. The special masters found by clear and convincing evidence that all charged counts and rule violations had been proved but did not recommend a sanction. The Supreme Court adopted the findings concerning the ex parte communications, declined to decide whether the plea-agreement policy independently violated the Code, and imposed a public reprimand and permanent ban from judicial service.

DISPOSITION

other

CASES CITED

- Rodriguez v. State, 129 N.E.3d 789, 794 (Ind. 2019)
- Weatherford v. Bursey, 429 U.S. 545, 561 (1977)
- In the Matter of Young, 943 N.E.2d 1276, 1280 (Ind. 2011)
- Spells v. State, 225 N.E.3d 767, 771 (Ind. 2024)
- Matter of Hawkins, 902 N.E.2d 231, 244 (Ind. 2009)
- Matter of Young, 92 N.E.3d 628, 634 (Ind. 2018)
- In the Matter of Brown, 4 N.E.3d 619, 628 (Ind. 2014)
- Matter of Sanders, 674 N.E.2d 165 (Ind. 1996)
- Matter of Jacobi, 715 N.E.2d 873 (Ind. 1999)
- Matter of Meade, 200 N.E.3d 448, 451-52 (Ind. 2023)
- Pannarale v. State, 638 N.E.2d 1247, 1248 (Ind. 1994)
- Hedger v. State, 824 N.E.2d 417, 420 (Ind. Ct. App. 2005), trans. denied
- State v. Montiel, 122 P.3d 571, 575 (Mont. 2005)
- United States v. Bean, 564 F.2d 700, 703-04 (5th Cir. 1977)
- Daniels v. State, 453 N.E.2d 160, 164-65 (Ind. 1983)
- Miller v. Patel, 212 N.E.3d 639, 650 (Ind. 2023)
- Golden v. State, 49 Ind. 424, 427 (1875)
- Dube v. State, 275 N.E.2d 7, 9 (Ind. 1971)

- Ballard v. State, 318 N.E.2d 798, 810 (Ind. 1974)
- Lafler v. Cooper, 566 U.S. 156, 185 (2012) (Scalia, J., dissenting)
- Meadows v. State, 428 N.E.2d 1232, 1235 (Ind. 1981)
- Ellis v. State, 744 N.E.2d 425, 429 (Ind. 2001)
- State ex rel. Goldsmith v. Marion Cnty. Super. Ct., Crim. Div. No. 1, 419 N.E.2d 109, 111 (Ind. 1981)
- State ex rel. Abel v. Vigo Cir. Ct., 462 N.E.2d 61, 63 (Ind. 1984)
- State ex rel. Commons v. Pera, 987 N.E.2d 1074, 1076 (Ind. 2013)
- In re United States, In re United States, 32 F.4th 584, 589-90, 595 (6th Cir. 2022)
- Espinoza v. Martin, 894 P.2d 688, 688, 690-91 (Ariz. 1995)
- United States v. Gamboa, 166 F.3d 1327, 1331 (11th Cir. 1999)
- People v. Grove, 566 N.W.2d 547, 558 (Mich. 1997), superseded by statute
- People v. Jasper, 17 P.3d 807, 814 (Colo. 2001), as modified on denial of reh'g
- United States v. Papke, 149 F.4th 1169, 1181, 1190 (10th Cir. 2025)
- United States v. Moore, 637 F.2d 1194, 1196 (8th Cir. 1981)
- United States v. Stamey, 569 F.2d 805, 806 (4th Cir. 1978)
- United States v. Jackson, 563 F.2d 1145, 1148 (4th Cir. 1977)
- Matter of Blickman, 164 N.E.3d 708, 718 (Ind. 2021)