

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**CHARLES L. CUNNINGHAM, CIRCUIT COURT JUDGE
30TH JUDICIAL CIRCUIT**

PUBLIC REPRIMAND

Charles L. Cunningham is a Circuit Court Judge for Kentucky's 30th Judicial Circuit consisting of Jefferson County. Judge Cunningham has waived formal proceedings and has agreed to this disposition.

Judge Cunningham self-reported to the Commission potential violations of the Kentucky Code of Judicial Conduct following the Kentucky Court of Appeals' decision in case number 2016-CA-001178-MR, styled, *Commonwealth v. Cambron*. In the Opinion, the Court of Appeals determined that Judge Cunningham violated Canon 3B(7) of the Kentucky Code of Judicial Conduct on at least twenty-nine occasions. The Court found that Judge Cunningham had entered numerous *ex parte* orders to produce Mr. Cambron's records to his public defender in the underlying case (Jefferson Circuit Court, Case No. 14-CR-2628) without notifying the Commonwealth. It further found that Judge Cunningham conversed with the defendant's public defender on multiple occasions without the Commonwealth's knowledge.

The Commission concludes that Judge Cunningham's conduct violated SCR 4.020(1)(b)(i) by engaging in misconduct in office. The Commission further concludes that

Judge Cunningham violated SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:¹

Canon 1 which requires judges to maintain high standards of conduct and uphold the integrity and independence of the Judiciary.

Canon 2A which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Canon 3B(7) which prohibits judges from initiating or considering *ex parte* communications with parties, except in designated circumstances that do not deal with substantive matters or issues on the merits.

Based on the foregoing conduct, Judge Cunningham is hereby publicly reprimanded.

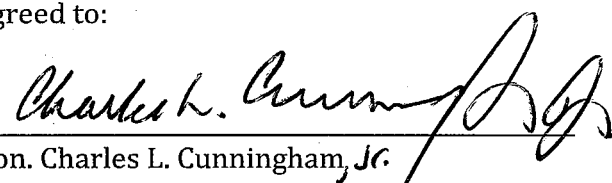
In making the disposition in this Order, the Commission duly considered that Judge Cunningham self-reported the violations and fully cooperated in the matter.

Date: 5/22/18


STEPHEN D. WOLNITZEK, CHAIR

Judge Glenn E. Acree and Judge Mitch Perry recused from any consideration of this matter.

Agreed to:


Hon. Charles L. Cunningham, Jr.

¹ The Canons cited by the Court of Appeals and by the Commission herein were the versions in effect at the time of the violation. The provisions within the cited Canons are now contained in Rules 1.1, 1.2 and 2.9.