

**COMMONWEALTH OF KENTUCKY  
JUDICIAL CONDUCT COMMISSION**

**IN RE THE MATTER OF:**

**JOHN L. ATKINS, CIRCUIT COURT JUDGE  
3<sup>RD</sup> JUDICIAL CIRCUIT**

**PUBLIC REPRIMAND**

John L. Atkins is a Circuit Court Judge for Kentucky's 3<sup>rd</sup> Judicial Circuit consisting of Christian County. Judge Atkins has waived formal proceedings and has agreed to this disposition.

The Commission conducted a preliminary investigation resulting from a complaint concerning Judge Atkins engaging in an *ex parte* discussion with a police officer regarding the Commonwealth's dismissal of an Assault 3<sup>rd</sup> degree charge in Christian Circuit Court case, *Commonwealth v. Tarvovs Rantray Haskins*, Case No. 21-CR-00576. During the *ex parte* conversation, Judge Atkins consulted with the police officer regarding the disposition of the assault charge prior to the sentencing hearing and discussed whether the police officer believed the evidence supported the charge. The police officer was not just a witness to the events in issue, he was the victim of the alleged assault by the Defendant. During the sentencing hearing, Judge Atkins disclosed that he contacted the police officer and asked the officer about the facts supporting the assault charge. The police officer did not testify in court to these facts. Judge Atkins took the position, that as the ultimate fact finder, he had the prerogative to talk to or inquire of whomever he wanted and investigate matters independently as part of rendering a decision about disposition of the case.

In addition, the Commission conducted a preliminary investigation on a second complaint regarding Christian Circuit Court case, *Commonwealth v. Nina E. Morgan*, Case No.

19-CR-00764, wherein the Defendant was indicted on two counts of first-degree criminal abuse arising from allegations of child abuse at a church daycare.

While the jury deliberated on the charges, Judge Atkins entered the gallery and spoke with the victim's families and other members of the church. Specifically, Judge Atkins made comments to victims' parents and members of the church, that security cameras should be required in daycare centers and that he should take it to the City Commission.

Morgan was one of four daycare employees charged criminally. As a result of the foregoing events, two of the other defendants filed motions in their respective cases seeking Judge Atkins' recusal, which the judge granted. Morgan then filed a motion for recusal in her case, which Judge Atkins denied. The Chief Justice reviewed the matter pursuant KRS 26A.020 and ordered Judge Atkins' disqualification on the basis that his comments to the victim's families and members of the church provided a basis for a reasonable person to question his impartiality.

The Commission concludes that Judge Atkins' conduct violated SCR 4.020(1)(b)(i) by engaging in misconduct in office. The Commission further concludes that Judge Atkins violated SCR 4.300 and the following Rules of the Code of Judicial Conduct:

**Rule 1.2** which requires judges to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary.

**Rule 2.9 (A)** which requires a judge not initiate, permit, or consider *ex parte* communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter.

**Rule 2.9 (C)** which requires a judge not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

Based on the foregoing conduct, Judge Atkins is hereby publicly reprimanded. In rendering its disposition, the Commission duly considered that Judge Atkins fully cooperated in the matter.

Date: 3/1/23

R. Michael Sullivan  
R. MICHAEL SULLIVAN, CHAIR

Agreed to: John Atkins  
Hon. John L. Atkins, Circuit Court Judge