

IN THE MARYLAND COMMISSION ON JUDICIAL DISABILITIES

IN THE MATTER

*

OF

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CASE NO. CJD 2015-106

JUDGE CORNELIUS J. VAUGHEY

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TO: Judge Cornelius J. Vaughey, retired District Administrative Judge, District Court of Maryland, District 6, Montgomery County, assigned to sit by the Maryland Court of Appeals in District Courts Statewide.

PRIVATE REPRIMAND

PLEASE TAKE NOTICE that the Maryland Commission on Judicial Disabilities (“Commission”), hereby issues a Private Reprimand to Judge Cornelius J. Vaughey (“Judge Vaughey”), pursuant to Maryland Rule 16-807(b), and for cause states as follows:

1. Judge Vaughey was the District Administrative Judge, District Court of Maryland, District 6, Montgomery County, from 1992 to December 31, 2005 (Associate Judge, 1984-92). Since his retirement on December 31, 2005, Judge Vaughey has been assigned to sit by the Maryland Court of Appeals in District Courts Statewide, including the time period relevant to this case.
2. The Commission received a complaint from Aaron J. Walker, Esq. in regard to the conduct of Judge Vaughey in a final hearing on the merits of a peace order filed against Mr. Walker. The complaint includes allegations that Judge Vaughey was impatient and disrespectful.
3. The Commission’s Assistant Investigative Counsel undertook an investigation of the complaint against Judge Vaughey. The Commission’s Judicial Inquiry Board (“Board”) reviewed the Assistant Investigative Counsel’s Memorandum including recommendation and

attachments. Thereafter, the Board filed with the Commission the Board Report, including recommendation and attachments.

4. The Commission found that the relevant facts regarding Judge Vaughey's conduct in this case include the following:

On May 29, 2012, Mr. Walker appeared pro se before Judge Vaughey for a final hearing on the merits of a peace order filed against him. During the course of the hearing, Judge Vaughey directed the following comments toward Mr. Walker: "Hang on, sport. Sit down."; "You got any clients?"; "Hey, sport, where'd you go to law school?"; and "Hey, calm down, son." Judge Vaughey also stated during Mr. Walker's discussion of the plaintiff's past criminal history that, "Even a prostitute is entitled to protection." As Judge Vaughey was delivering his ruling, Mr. Walker attempted to interrupt him, prompting Judge Vaughey to state, "Now, let's see, what year was it at Yale [Mr. Walker's law school] when they told you, 'Don't talk when a judge is talking'?" Judge Vaughey issued a final peace order against Mr. Walker, and told Mr. Walker that his behavior was "wrong, son."

5. Based upon the facts of this case, the Commission has concluded that Judge Vaughey committed sanctionable conduct, pursuant to Maryland Rule 16-803(k)(1), by violating Rules 1.1, 1.2, 2.2, 2.3 (a), and 2.8 (a) & (b) of the Maryland Code of Judicial Conduct, Maryland Rule 16-813; that such conduct warrants some form of discipline, but does not warrant formal proceedings; and that a Private Reprimand, with a waiver of confidentiality, pursuant to Maryland Rule 16-810(b)(1), so that the Private Reprimand can be made public, given the available disposition options available to the Commission under the Maryland Rules, is the appropriate disposition under the circumstances.

6. The facts of the above-captioned case support the Commission's conclusion that Judge Vaughey violated Rules 1.1, 1.2, 2.2, 2.3 (a), and 2.8 (a) & (b) of the Maryland Code of Judicial Conduct, Maryland Rule 16-813, thereby constituting sanctionable conduct, pursuant to Maryland Rule 16-803(k)(1).

7. The Commission intends for this Private Reprimand to serve as a warning that any further such conduct by Judge Vaughey may result in possible future discipline. Upon the issuance of this Private Reprimand, the Commission shall notify the complainant of that disposition, pursuant to Maryland Rule 16-807(b)(2).

8. Judge Vaughey, by his consent: (i) waives his right to a hearing before the Commission and subsequent proceedings before the Court of Appeals; (ii) waives his right to challenge the findings that serve as the basis for this Private Reprimand; (iii) agrees that this Private Reprimand may be admitted in any subsequent disciplinary proceeding against him to the extent that it is relevant to the charges at issue or the sanction to be imposed; and (iv) expressly waives his right to confidentiality under Maryland Rule 16-810(a), as it relates to this Private Reprimand and permits the Commission, in its discretion, to release the contents of this Private Reprimand pursuant to such waiver.

Maryland Commission on Judicial Disabilities

May 31, 2016
Date

By: _____
The Honorable Alexander Wright, Jr., Chair

Agreed and Consented to:

5/27/16
Date

-Judge Cornelius J. Vaughey