

**STATE OF KANSAS**  
**BEFORE THE COMMISSION ON JUDICIAL QUALIFICATIONS**

Inquiry Concerning  
A Judge

Docket No. 544

**ORDER**

Members of the Commission present include: Mr. David J. Waxse, Vice-Chair; Hon. J. Patrick Brazil, Judge Kathryn Carter, Mr. Robert A. Creighton, Hon. Theodore B. Ice, and Hon. James W. Paddock.

**FINDINGS OF FACT**

There is no dispute regarding the facts set out below:

1. The Honorable James G. Beasley is a district judge at Wichita, Kansas.
2. On July 21, 1994, Respondent was arrested for and charged with driving under the influence of alcohol, in violation of K.S.A. 8-1567, or a comparable municipal ordinance.
3. Respondent has applied to enter into a diversion agreement in Wichita Municipal Court.

This Commission's investigation did not reveal a pattern of substance abuse, and the case against Judge Beasley was handled by law enforcement and the courts as any other similar case involving a private citizen would have been handled. Judge Beasley made a mistake and has accepted his responsibilities. For any private citizen, the matter would be at an end. Judge Beasley, however, occupies a position of public trust as a judge of the district court and, as such, is subject to a higher standard.

CONCLUSIONS OF LAW

1. Canon 2 of the Canons of Judicial Conduct provides in relevant part:

*"A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Of His Activities.*

"A. A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity...of the judiciary."

2. The Commission has determined that Respondent violated Canon 2A when he drove under the influence of alcohol in violation of the law.

IT IS THEREFORE ORDERED that the Honorable James G. Beasley cease and desist from any act or acts that could be found to violate the laws of the State of Kansas, including those laws relating to the consumption and use of alcoholic beverages.

This Order, if accepted, shall be made public pursuant to Rule 611(a).

The Secretary of the Commission on Judicial Qualifications is hereby instructed to mail a copy of this Order with a copy of Rule 611, as adopted by the Supreme Court of Kansas, to Respondent. Respondent is requested, in accordance with Rule 611, to either (a) comply by accepting the Order by written acknowledgment directed to the Secretary of the Commission; or (b) refuse to accept the Order. Any agreement to comply or refusal to accept shall be served upon the Commission within twenty days from this date. In the event the Respondent shall not agree to comply by accepting this Order by written acknowledgment within said period, Respondent shall be deemed to have refused to accept this Order.

BY ORDER OF THE COMMISSION dated this 28th day of April, 1995.

COMMISSION ON JUDICIAL QUALIFICATIONS

By: Carol G. Green  
Carol G. Green, Secretary

APPROVED & ACCEPTED

May 2, 1995

(date)

James G. Beasley  
James G. Beasley, Respondent

**RECEIVED**

MAY 4 - 1995

COMMISSION ON  
JUDICIAL QUALIFICATIONS