

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF GEORGIA

In re: Inquiry Concerning
Judge Carl Brown

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) Complaint No. 2020-204
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**Report of Disposition Pursuant to O.C.G.A. § 15-1-21(k)(1) and Rule 11(A) of
the Rules of the Judicial Qualifications Commission**

This matter originated before the Judicial Qualifications Commission (hereinafter, “JQC”) Investigative Panel with a complaint concerning allegations of judicial misconduct on the part of Judge Carl Brown, Superior Court Judge of the Augusta Judicial Circuit. The Investigative Panel commenced an investigation into the allegations of judicial misconduct, including:

1. Whether Judge Brown engaged in conduct, actions, and/or appointments regarding employees of the Juvenile Court of the Augusta Judicial Circuit that constituted nepotism and favoritism, and thus violated Rules 1.2 (A), 2.4 (B), 2.5, and 2.13 of the Code of Judicial Conduct;
2. Whether Judge Brown engaged in conduct and actions regarding the Magistrate Court of Burke County attempting to improperly influence decisions regarding appointments, and thus violated Rules 1.2 (A), 2.4 (B), 2.5, and 2.13 of the Code of Judicial Conduct;

3. Whether Judge Brown improperly inserted himself into the plea negotiation process, and thus violated Rule 1.1 of the Code of Judicial Conduct;

During its investigation, the JQC Investigative Panel was notified that Judge Brown would be resigning from his position as a Superior Court Judge of the Augusta Judicial Circuit effective June 30, 2021. (See Exhibits A and B). Subsequently, the JQC Investigative Panel and Judge Brown mutually agreed upon a disposition of Complaint 2020-204 pursuant to O.C.G.A. § 15-1-21(k)(1) and JQC Rule 11 (A). The disposition and agreement between the JQC Investigative Panel and Judge Brown is set forth in the Consent Agreement dated April 30, 2021, which is attached to this filing. (See Exhibit C).

This Report of Disposition is submitted for filing in the public records of the Supreme Court of Georgia pursuant to O.C.G.A. § 15-1-21(k)(1) and JQC Rule 11 (A).

Respectfully submitted this 3rd day of May, 2021.

s:\CHARLES BORING
Charles P. Boring, Director
Judicial Qualifications Commission
1995 North Park Place SE, Suite 570
Atlanta, GA 30339
cboring@gajqc.gov
Georgia Bar Number: 065131

EXHIBIT A



CARL C. BROWN, JR.
CHIEF JUDGE, SUPERIOR COURT
AUGUSTA JUDICIAL CIRCUIT

735 James Brown Blvd., Suite 4203
Augusta, Georgia 30901-2974

Telephone: 706-821-2347
Fax: 706-721-4476

April 21, 2021

The Honorable Brian P. Kemp
Governor, State of Georgia
206 Washington Street
Suite 203, State Capitol
Atlanta, GA 30334

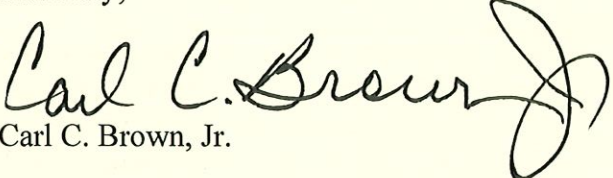
Dear Governor Kemp:

It has been a humbling experience and a blessing to serve as a Superior Court Judge of the Augusta Judicial Circuit for over twenty-six (26) years. I am eternally grateful to God and all those who made it possible for me to serve. I am now at the season of my life where I must place more focus on my health and family. Accordingly, I hereby submit my resignation to be effective June 30th, 2021, at 11:59 P.M. I hereby request to be appointed to Senior Judge status.

Thanks for your consideration.

With kind regards, I remain,

Sincerely,


Carl C. Brown, Jr.

CCB JR/kdc

EXHIBIT B



STATE OF GEORGIA

OFFICE OF THE GOVERNOR

ATLANTA 30334-0900

Brian P. Kemp
GOVERNOR

April 27, 2021

The Honorable Carl C. Brown, Jr.
Chief Judge, Superior Court
Augusta Judicial Circuit
735 James Brown Boulevard, Suite 4203
Augusta, Georgia 30901-2974

Dear Judge Brown:

Thank you for the service you have rendered as Chief Judge of the Superior Court of the Augusta Judicial Circuit. I appreciate you taking the time to apprise me of your resignation, effective June 30, 2021, at 11:59 P.M.

Your resignation as Superior Court Judge is hereby accepted, and I wish you all the best. Once again, thank you for your service to the Augusta Judicial Circuit and the State of Georgia.

Sincerely,

Brian P. Kemp

BPK:rbw

cc: The Honorable Brad Raffensperger, Secretary of State
The Honorable Harry B. James, III, Judge, Probate Court of Richmond County

EXHIBIT C

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION

STATE OF GEORGIA

In re: Inquiry Concerning
Judge Carl Brown

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Complaint No. 2020-204

CONSENT AGREEMENT

Pursuant to the Rules of the Judicial Qualifications Commission (hereinafter, “JQC”), the JQC Investigative Panel and Judge Carl Brown hereby resolve the above-styled matter as follows:

1. The JQC has initiated a complaint and investigation into allegations that Judge Brown has violated the Georgia Code of Judicial Conduct. The case is currently in full investigation status pursuant to JQC Rule 17 (C).
2. Judge Brown has announced that he will be retiring from his position as a Superior Court Judge of the Augusta Judicial Circuit for medical reasons. Judge Brown has agreed to submit his resignation to Governor Brian Kemp upon signing this consent agreement, the resignation to be effective June 30, 2021, at 11:59 p.m.
3. In light of the pending JQC investigation into his conduct, and in addition to his resignation as stated above, Judge Brown hereby agrees that he will immediately relinquish any administrative and/or supervisory duties and

involvement with the Juvenile Courts and Magistrate Courts of the counties in the Augusta Judicial Circuit.

4. Judge Brown may, upon and after retirement from the Superior Court of the Augusta Judicial Circuit, seek appointment as a Senior Superior Court Judge pursuant to the laws of Georgia. Judge Brown agrees, however, that he will not seek, request, or accept any other elected or appointed judicial office in the future. Further, if properly and legally appointed as a Senior Superior Court Judge, Judge Brown may not accept or exercise any administrative and/or supervisory duties and involvement related to any other level of Court in the Augusta Judicial Circuit, including but not limited to the Juvenile Courts and Magistrate Courts of the counties in the Augusta Judicial Circuit.
5. This agreement is effective immediately and carries forward permanently.
6. Judge Brown understands that should he violate this agreement, the Investigative Panel and Director may seek to enforce this agreement or rescind the agreement and file formal charges regarding this complaint.
7. After the signing of this Consent Agreement, the Director will file this Agreement with the Supreme Court of Georgia, along with the *Report to the Supreme Court of Georgia* pursuant to O.C.G.A. § 15-1-21(k)(1) and

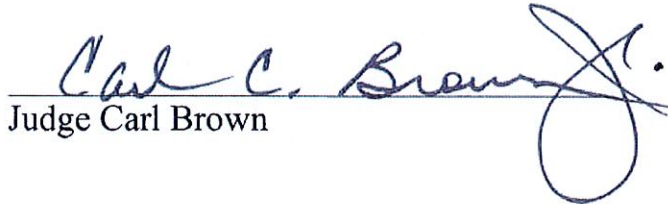

JQC Rule 11 (A). This Consent Agreement resolves any complaints or charges in the above-styled matter as provided herein.

Respectfully submitted this 30th day of April, 2021.



Charles P. Boring, Director
Judicial Qualifications Commission
1995 North Park Place SE, Suite 570
Atlanta, GA 30339
cboring@gajqc.gov
Georgia Bar Number: 065131

Consented and agreed to by:


Judge Carl Brown
David Bell (Attorney for Judge Brown)
P.O. Box 1011
Augusta, GA 30903
davidbell@davidbelllawfirm.com

CERTIFICATE OF SERVICE

Pursuant to Judicial Qualifications Commission Rule 13, the Director certifies that he has this day served the following:

Consent Agreement

by placing a true and correct copy of the same in the United States mail in an envelope properly addressed with adequate postage thereon to ensure delivery upon the following:

David Bell
P.O. Box 1011
Augusta, GA 30903
davidbell@davidbelllawfirm.com

This 30th day of April, 2021.



Charles P. Boring, Director
Judicial Qualifications Commission
1995 North Park Place SE, Suite 570
Atlanta, GA 30339
cboring@gajqc.gov
Georgia Bar Number: 065131

CERTIFICATE OF SERVICE

Pursuant to Judicial Qualifications Commission Rule 13, the Director certifies that he has this day served the following:

Report of Disposition

by electronic mail and by placing a true and correct copy of the same in the United States mail in an envelope properly addressed with adequate postage thereon to ensure delivery upon the following:

David Bell
P.O. Box 1011
Augusta, GA 30903
davidbell@davidbelllawfirm.com

This 3rd day of May, 2021.

s:\CHARLES BORING
Charles P. Boring, Director
Judicial Qualifications Commission
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