

**SUPREME COURT OF LOUISIANA**

**No. 99-O-0014**

***IN RE: JUDGE ULYSSES “GENE” THIBODEAUX***

**ON RECOMMENDATION FOR DISCIPLINE  
FROM THE JUDICIARY COMMISSION OF LOUISIANA**

JOHNSON, J., concurring.

I concur in the result reached by the majority to reject the Judiciary Commission’s recommendation of discipline, and I write separately to express my views on the issue of anonymous complainants.

The Judiciary Commission initiated this matter and filed Formal Charges against Judge Thibodeaux based on an anonymous phone call raising questions about the Judge’s wedding reception. Under the rules for the conduct of business of the Judiciary Commission, complaints of alleged misconduct or disability of any judge should be written and signed by the complainant. However, the Commission may consider complaints from whatever source, including anonymous complaints. JCL Rule III.

In my view, the identity of the complainant aids in determining the reliability of the complainant and the allegations made. Allowing complainants to keep their identity anonymous, opens the door for falsified allegations, political and personal vendettas, and defamatory statements. Anonymous complainants could be political opponents out to damage the reputation of an incumbent judge, parties to lawsuits who were on the losing side, or any other person with “an axe to grind.” Often times knowing the identity of the complainant gives us information needed to test the motive and truthfulness of the allegations.

This Court is charged with making original determinations of fact in judicial disciplinary proceedings. *In re Quirk*, 97-1143 (La. 12/12/97), 705 So. 2d 172, 176. The identity of the anonymous complainants would certainly assist me in making such determinations. Furthermore, if the anonymous informant turns out to be a person seeking political or personal gain from making the complaint, then the allegations could be resolved before a public investigation is instituted. I, for one, am of the opinion that the identity of anonymous complainants should be disclosed.