

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF GEORGIA

*In re: Inquiry Concerning* )  
**Judge Meng Lim** ) Complaint No. 2020-193  
)  
)  
)

**FORMAL CHARGES**

The Judicial Qualifications Commission (“JQC”) Investigative Panel (“IP”) initiated and conducted a Full Investigation regarding allegations of misconduct against Chief Judge Meng Lim (“Judge Lim”) of the Superior Court of the Tallapoosa Judicial Circuit. Pursuant to JQC Rule 17, the IP concluded that formal charges should be instituted for the purpose of determining whether Judge Lim has violated the Code of Judicial Conduct, and if so, whether he has committed willful misconduct in office, and whether his conduct is prejudicial to the administration of justice such that it brings the judicial office into disrepute.

Accordingly, the Director files the below Formal Charges with the JQC Hearing Panel pursuant to JQC Rule 19 and requests that proceedings be instituted for the purpose of determining whether Judge Lim’s conduct constitutes a violation of the Code of Judicial Conduct and, if so, the appropriate sanction.

## I. JURISDICTION

1.

Judge Lim was admitted to the State Bar of Georgia in 1998. Judge Lim was sworn-in as a judge on the Superior Court of the Tallapoosa Judicial Circuit on or about December 4, 2020. At all times pertinent to these Formal Charges, Judge Lim was serving in this judicial capacity, and as such, was subject to the Canons and Rules of the Code of Judicial Conduct and the laws of the State of Georgia.

2.

Judge Lim's chambers and courtroom in Haralson County are located at 4485 Georgia Hwy. 120, Buchanan, Georgia. Judge Lim's chambers and courtroom in Polk County are located at 100 Prior Street, Cedartown, Georgia.

## II. FACTS

### Procedural Background

3.

In February of 2020, JQC Director Chuck Boring ("the Director") and JQC Chief Investigator Lance Alford ("Investigator Alford") were notified by the Georgia Bureau of Investigation ("GBI") that they were investigating a domestic situation involving Judge Lim's family. Preliminary information obtained by Investigator Alford indicated that Judge Lim may have committed acts of domestic violence against his wife. If confirmed, those acts could constitute misconduct

violative of the Code of Judicial Conduct. Subsequently, the Director initiated a Preliminary Investigation of Judge Lim pursuant to JQC Rule 17 (A).

4.

After the Preliminary Investigation was initiated, Investigator Alford met with law enforcement and interviewed several other witnesses. Investigator Alford also obtained and reviewed the GBI's case file, which included translated witness interviews, translated text messages, and photographs of the injuries to Judge Lim's wife. The GBI's investigation concluded with Judge Lim being arrested for the misdemeanor offense of Family Violence Battery on July 2, 2020.

5.

An indictment containing the offenses of felony Family Violence Aggravated Assault, felony Family Violence Aggravated Battery, and misdemeanor Family Violence Battery was presented to a Haralson County Grand Jury on July 31, 2020. The Grand Jury returned a No-Bill of indictment on that date.

6.

The Director presented the information obtained during Investigator Alford's investigation into the domestic violence allegations and the outcome of the Grand Jury presentment to the IP at their meeting on August 21, 2020. The Director also presented new information discovered during the investigation which

was not directly related to the domestic violence allegations. Based upon the information presented to the IP at that time, the IP requested that JQC Staff continue its investigation into Judge Lim and the newly discovered information.

7.

On January 15, 2021, the IP authorized a Full Investigation pursuant to JQC Rule 17 (B) (3).

8.

On January 28, 2021, in accordance with JQC Rule 17 (C) (1) (a), the Director notified Judge Lim of the IP's investigation and the JQC Rules he allegedly violated. Judge Lim was asked to appear and meet with the IP on February 19, 2021, in order to assist the IP in their understanding of the facts surrounding the allegations, pursuant to JQC Rule 17 (C) (4).

9.

In February of 2021, Judge Lim, through his attorney Mr. Dennis Cathey ("Mr. Cathey"), requested a continuance of his appearance date due to a conflict on behalf of Mr. Cathey. The Director agreed to the continuance, and Judge Lim was scheduled to appear at the IP's meeting on March 19, 2021.

10.

On March 19, 2021, Judge Lim appeared before the IP with Mr. Cathey, made a statement, and answered questions posed to him by IP members.

11.

On April 16, 2021, at the IP's next monthly meeting, the IP discussed the relevant facts and Judge Lim's statement to the IP from March and found that there was reasonable cause to believe Judge Lim committed violations of the Code of Judicial Conduct. As such, the Director was instructed to draft and file Formal Charges.

**Drug Court Program**

12.

Judge Lim has been the presiding Judge over the Tallapoosa Circuit's Drug Court and Intervention Program ("Drug Court") since July 1, 2015.

13.

During early November of 2016, James Hardin ("Mr. Hardin"), a personal and family friend to Judge Lim who was a prior Drug Court participant and also had rented a home from Judge Lim, approached Judge Lim to inquire about whether there was anything that the Tallapoosa Drug Court program could do to help his brother-in-law, Darrell Hill ("Mr. Hill"), who had ongoing substance abuse issues.

14.

Judge Lim had been personally acquainted with and friends of Mr. Hardin, Mr. Hill, and Mr. Hill's sister for several years.

15.

At the time of the above conversation between Mr. Hardin and Judge Lim, Mr. Hill had pending felony drug and other misdemeanor charges in Haralson County Superior Court.

16.

In early November of 2016 and after the above conversation, Ms. Regina Roberts (“Ms. Roberts”) conducted an initial evaluation of Mr. Hill’s application for Drug Court. Ms. Roberts determined that Mr. Hill was an appropriate candidate for Drug Court, but she was not made aware of Judge Lim’s personal relationship with Mr. Hill until after Mr. Hill had been accepted into and was an active participant in Drug Court.

17.

In early November of 2016, Mr. Carlton Lanier (“Mr. Lanier”), a licensed professional counselor and the treatment provider for Drug Court, also conducted an evaluation of Mr. Hill’s application for Drug Court. Mr. Lanier also determined that Mr. Hill was an appropriate candidate for Drug Court, but he was not made aware of Judge Lim’s personal relationship with Mr. Hill until after Mr. Hill had been accepted into and was an active participant in Drug Court. In fact, Mr. Lanier was made aware of Judge Lim’s personal relationship with Mr. Hill by Mr. Hill and not Judge Lim.

18.

On November 16, 2016, Mr. Hill pled guilty in Haralson County Superior Court in two different criminal cases, 2016-CR-446-M and 2016-CR-485-L. Superior Court Judge Michael Murphy presided over Mr. Hill's guilty pleas and sentenced him to the negotiated recommendation of a combined four years to be served on probation, with a special condition of his sentence being entry into and completion of the Drug Court program.

19.

As a result of his guilty pleas, Mr. Hill began the Drug Court program on November 16, 2016.

20.

Approximately three to four months after Mr. Hill began the Drug Court program, he started to refer to Judge Lim by his first name, "Meng," during participant group sessions. Mr. Lanier advised Mr. Hill that calling Judge Lim by his first name was not appropriate for a participant in the program. Mr. Hill explained that he was doing so because he had known Judge Lim for many years.

21.

During Judge Lim's March 19, 2021 appearance before the IP, he was asked twice whether he disclosed his relationship with Mr. Hill to Drug Court Staff prior

to Mr. Hill's admission into the Drug Court program. Both times, Judge Lim answered in the affirmative.

22.

Mr. Hill openly commented in front of other participants during group sessions about his personal relationship with Judge Lim and mentioned doing work for Judge Lim at his house and his restaurant. Mr. Hill's ongoing commentary about his personal involvement with Judge Lim began to upset other Drug Court participants.

23.

As a result, Mr. Lanier had a conversation with Judge Lim to advise him of the concerns he had regarding Mr. Hill's statements in group sessions and his recent discovery of the personal relationship Judge Lim had with Mr. Hill. Mr. Lanier advised Judge Lim that "dual roles" with participants was strictly prohibited in the Drug Court program. Judge Lim did not address Mr. Lanier's concerns.

24.

After learning that Mr. Hill was working for Judge Lim at his restaurant, Ms. Roberts also approached Judge Lim to advise him that his personal relationship with and employment of Mr. Hill, an active Drug Court participant, constituted a conflict of interest. Judge Lim did not address Ms. Roberts' concerns.



25.

During Judge Lim's March 19, 2021 appearance before the IP, he was asked whether anyone with the Drug Court Staff ever came to him with concerns over his relationship with Mr. Hill and his family and his treatment of Mr. Hill compared to other Drug Court participants. Judge Lim responded in the negative.

26.

On or about March 12, 2017, Mr. Lanier received a call from Mr. Hill, who told him that he was working at Judge Lim's restaurant trying to get it ready to open, and that he needed to be excused from his required Drug Court counseling session which was scheduled for that afternoon. Mr. Lanier declined to excuse Mr. Hill from his required counseling session and the call ended.

27.

Judge Lim, who was also working at his restaurant that day, then called Mr. Lanier. Judge Lim explained that he was trying to get his restaurant ready to open, thus he needed Mr. Hill's help, and needed Mr. Lanier to excuse Mr. Hill from his required counseling session. Mr. Lanier initially declined, insisting that it was not clinically in Mr. Hill's best interest for him to miss his counseling session.

28.

After further conversation and at the urging of Judge Lim, Mr. Lanier reluctantly acquiesced and excused Mr. Hill from his counseling session.

29.

During Judge Lim's March 19, 2021 appearance before the IP, he was asked whether he employed Mr. Hill and he stated that he "[d]id not employ him." Judge Lim was subsequently asked another question about Mr. Hill working at his restaurant, to which he stated "[h]e was not working." When asked what Mr. Hill was doing at his restaurant, Judge Lim stated that "[m]y roof was leaking, and he fixed my roof. That was it." Judge Lim later admitted that he paid Mr. Hill for the work he had done at his restaurant.

30.

Between January 1, 2017 and February 20, 2017, Mr. Hill no-showed for a drug screen, had two positive drug screens, and had one dilute drug screen.

31.

On or about April 8, 2017, Mr. Hill had a positive drug screen for cocaine. As a result, Ms. Roberts prepared a warrant for Mr. Hill's arrest. Instead of Mr. Hill's situation regarding his outstanding warrant for a positive drug screen being addressed at the Drug Court's next open court session, as was standard when participants had outstanding warrants for positive drug screens, Judge Lim allowed Mr. Hill to meet with him and Drug Court Staff in his chambers.

32.

This in-chambers meeting was not on the record and Mr. Hill's positive drug screen was never addressed in court in front of other participants. Mr. Hill was extended this opportunity despite the fact that he had an outstanding warrant for a positive drug screen, which would normally result in participants being taken into custody during open court sessions.

33.

During this meeting, Judge Lim allowed Mr. Hill to speak both directly to him and over Drug Court Staff who were attempting to address the Judge and Mr. Hill. Despite a prior no-show for a drug screen, two positive drug screens, and one dilute screen, Mr. Hill repeatedly denied drug use.

34.

As a result of the preferential manner in which Judge Lim conducted this meeting, Ms. Roberts stood up, announced she was quitting, and left the room. Judge Lim eventually took Mr. Hill into custody, but called Ms. Roberts later, asked her not to quit, and also asked her how he could arrange to have a drug test administered at the jail for Mr. Hill.

35.

In July of 2018, Judge Lim held a with Mr. Hill and Mr. Hill's sister outside of a participant group or court setting because Mr. Hill wanted to request to be released from Drug Court.

**Romantic Relationship with Clerk's Office Employee**

36.

Erika Hernandez ("Ms. Hernandez") worked at the Polk County Clerk's Office as a clerk from 2007 to 2018. As one of the only Spanish-speaking employees in the courthouse, Ms. Hernandez's superiors would sometimes ask, at the request of a judge, that she go to courtrooms to assist with Spanish interpretation.

37.

Though assisting with courtroom Spanish interpretation was not a part of Ms. Hernandez's regular job duties and responsibilities at the Clerk's Office, she enjoyed assisting when asked, which was during regular work hours.

38.

On or about May 11, 2016, Judge Lim utilized a phone number which he had obtained from another individual for Ms. Hernandez in order to initiate a text message conversation with her.

39.

At the time that Judge Lim initiated a text message conversation with Ms. Hernandez, Ms. Hernandez had appeared in Judge Lim's courtroom on a few occasions to assist with Spanish interpretation and to receive training from the courtroom clerk. Ms. Hernandez did not know Judge Lim beyond appearing in his courtroom on these occasions.

40.

Then-married Judge Lim began the text message conversation with Ms. Hernandez on or about May 11, 2016, by telling her he wanted to learn Spanish and asking her if they could "[h]ave lunch together now and then." Judge Lim stated that he would buy the lunches, mentioned that he was "[t]rying to lose weight anyway," and suggested to Ms. Hernandez that he "[w]as thinking you order what you want and we split the portion?"

41.

In the weeks following Judge Lim's initiation of contact with Ms. Hernandez, Judge Lim and Ms. Hernandez communicated regularly via text message and met for lunch during the work week. Judge Lim encouraged Ms. Hernandez to "[c]ome by his office when [she] was ready for lunch."

42.

During this time, Ms. Hernandez shared with Judge Lim that she was considering moving back to Texas to be close to her family and to pursue other job opportunities. Ms. Hernandez also shared with Judge Lim that she enjoyed assisting with courtroom Spanish interpretation.

43.

On or about May 27, 2016, Judge Lim sent Ms. Hernandez a text message stating “[i]f it helps to get you to not move to Texas, I promise to use you as an interpreter as long as I’m in office.” Judge Lim continued, stating that “[t]he only problem is as long as you are working for the clerk of court, I’m not sure about how to pay.”

44.

Ms. Hernandez responded to this text message with excitement, stating “[w]ow that’s great news!! I love that!! Thank you so much!!” She continued, stating “Im ready for a change and step up!!”

45.

During Judge Lim’s March 19, 2021 appearance before the IP, he was asked whether he ever told Ms. Hernandez that he was going to use her for interpretative services in the courthouse. Judge Lim responded in the negative.

46.

At the end of May, 2016, Judge Lim told Ms. Hernandez that he hoped she would come swimming at his pool one day and also picked her up at her home on Memorial Day and took her to Atlanta, where they spent time together.

47.

On Friday, June 3, 2016, during the workday, Judge Lim sent a text message to Ms. Hernandez saying that he would like to drink a margarita with her. She told him that she would love to do so, and they arranged to meet at her home. After confirming that Ms. Hernandez had tequila at her home, Judge Lim traveled to her home to meet her. By 4:55pm, Judge Lim had left Ms. Hernandez's home and arrived at his home, and sent her a text message stating he "[h]ad a great time. Got in okay."

48.

Ms. Hernandez responded, by stating "[w]ish you could have stayed longer!" and "[m]e too i really enjoyed it! Im glad you made it home ok!"

49.

In the following weeks in June, Judge Lim went to Ms. Hernandez's home for lunch on multiple occasions during the workday, and their relationship became physical.

50.

Judge Lim told Ms. Hernandez not to tell anyone about their relationship and that she had to keep their relationship quiet because he could get in trouble and potentially lose his job if anyone found out. Judge Lim also asked Ms. Hernandez not to use the wireless internet at the courthouse because it wasn't secure.

51.

Judge Lim and Ms. Hernandez's romantic relationship continued in the following weeks, despite the fact that Judge Lim was married and his wife was still living in their marital home. On or about July 7, 2016, Judge Lim's wife left their marital home and went to China. Judge Lim filed for divorce on July 11, 2016.

52.

In the days after his wife returned to China, Judge Lim asked Ms. Hernandez to move into his home with him and his two children. Ms. Hernandez moved into Judge Lim's home during July of 2016.

53.

After Ms. Hernandez moved into Judge Lim's home, he asked her to quit her job at the Clerk's Office so she could tend to his home and familial needs full time. Judge Lim gave Ms. Hernandez a deadline by which he expected her to quit her job, but she did not.



54.

At his home, Judge Lim required Ms. Hernandez to get up early in the morning to exercise and expected that she clean the pool, do laundry, iron clothes, clean the home and tend to multiple pets, including farm animals.

55.

On a few occasions, Judge Lim left Ms. Hernandez at the home with his children, so he could do personal things, such as go to a wedding.

56.

During Judge Lim's March 19, 2021 appearance before the IP, he was asked twice whether Ms. Hernandez moved in with him. Both times, Judge Lim answered in the negative. Judge Lim attempted to further explain that he "[w]as thinking back on this, and I remember she came to my house one weekend, and my kids were there, you know."

57.

During their romantic relationship, Ms. Hernandez continued to occasionally assist with Spanish interpretation in Judge Lim's courtroom while she remained an employee of the Clerk's Office.

58.

During Judge Lim's March 19, 2021 appearance before the IP, he was asked about the appropriateness of his relationship with Ms. Hernandez. Judge Lim stated that "[s]he does not come in front of me for anything or work with me."

59.

During mid-July of 2016 and amidst discussions about Ms. Hernandez quitting her job to tend to Judge Lim's home full time, Judge Lim told Ms. Hernandez that he was going to reach out to a contact with the State Bar of Georgia or another organization to determine whether it was appropriate for them to date.

60.

On July 18, 2016, Judge Lim sent Ms. Hernandez a text message stating "Just got a reply back that we can't date while you work at the clerks office."

61.

During Judge Lim's March 19, 2021 appearance before the IP, he was asked whether he told Ms. Hernandez that he had checked with someone from the State Bar of Georgia or another organization about the appropriateness of their relationship. Judge Lim responded in the negative.

62.

Ms. Hernandez decided to move out of Judge Lim's house before the end of August 2016. Though Judge Lim and Ms. Hernandez continued to communicate and see each other, Judge Lim traveled to China at the end of August 2016 to visit his wife.

63.

After returning from China, Judge Lim and Ms. Hernandez continued to communicate and see each other, but by the fall of 2016 their romantic relationship ended.

64.

After their romantic relationship ended, courthouse personnel began talking about Judge Lim and Ms. Hernandez. As a result, Ms. Hernandez's superior called her into her office and asked her about her relationship with Judge Lim. Ms. Hernandez was honest about the romantic relationship she had with Judge Lim.

65.

As a result of the relationship becoming known within the courthouse and the Tallapoosa Judicial Circuit, Ms. Hernandez's superior stopped asking her to assist with courtroom Spanish interpretation.

66.

On one occasion, Ms. Hernandez was contacted directly by courthouse personnel outside of the Clerk's Office and told that her immediate assistance with Spanish interpretation was needed in a hearing. Because Judge Lim was presiding over the hearing, Ms. Hernandez had to decline to assist with the hearing.

### **III. RULES OF THE CODE OF JUDICIAL CONDUCT IMPLICATED BY JUDGE LIM'S CONDUCT**

#### **Rule 1.1**

67.

Rule 1.1 of the Georgia Code of Judicial Conduct states:

Judges shall respect and comply with the law.

#### **Rule 1.2 (A)**

68.

Rule 1.2 (A) of the Georgia Code of Judicial Conduct states:

Judges shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary.

#### **Rule 1.2 (B)**

69.

Rule 1.2 (B) of the Georgia Code of Judicial Conduct states:

An independent and honorable judiciary is indispensable to justice in our society. Judges shall participate in establishing, maintaining, and enforcing high standards of conduct, and shall personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.

**Rule 1.3**

70.

Rule 1.3 of the Georgia Code of Judicial Conduct states:

Judges shall not lend the prestige of their office to advance the private interests of the judge or others.

**Rule 2.4 (B)**

71.

Rule 2.4 (B) of the Georgia Code of Judicial Conduct states:

Judges shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.

**Rule 2.4 (C)**

72.

Rule 2.4 (C) of the Georgia Code of Judicial Conduct states:

Judges shall not convey or enable others to convey the impression that any person or organization is in a position to influence the judge.

**Rule 2.11 (A)**

73.

Rule 2.11 (A) of the Georgia Code of Judicial Conduct states:

Judges shall disqualify themselves in any proceeding in which their *impartiality* might reasonably be questioned.

**Rule 3.11 (B)**

74.

Rule 3.11 (B) of the Georgia Code of Judicial Conduct states:

Judges should refrain from financial and business dealings with lawyers, litigants, and others that tend to reflect adversely on their impartiality, interfere with the proper performance of their judicial duties, or exploit their judicial positions.

**IV. VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT**

**Drug Court Program**

**COUNT ONE**

75.

In and between November of 2016 and November of 2018, Judge Lim did fail to act in a manner that promotes public confidence in the independence, integrity and impartiality of the judiciary in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, by failing to disclose a personal relationship with Mr. Hill, a Drug Court participant, to Drug Court Staff, giving said participant preferential treatment by allowing him to complete work for pay at the Judge's restaurant, assisting him in being excused from a counseling session in order to assist the Judge with non-judicial matters, extending him an in-chambers meeting instead of immediately taking him into custody after a positive drug screen, and by

meeting with him outside of a participant group or court setting to discuss his desire to get out of the Drug Court program.

COUNT TWO

76.

In and between November of 2016 and November of 2018, Judge Lim did fail to establish, maintain, and enforce high standards of conduct, and to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the Georgia Code of Judicial Conduct, by failing to disclose a personal relationship with Mr. Hill, a Drug Court participant, to Drug Court Staff, giving said participant preferential treatment by allowing him to complete work for pay at the Judge's restaurant, assisting him in being excused from a counseling session in order to assist the Judge with non-judicial matters, extending him an in-chambers meeting with the Judge and Drug Court Staff instead of immediately taking him into custody after a positive drug screen, and by meeting with him outside of a participant group or court setting to discuss his desire to get out of the Drug Court program.



COUNT THREE

77.

In and between November of 2016 and November of 2018, Judge Lim allowed social relationships to influence his judicial conduct and judgment, in violation of Rule 2.4 (B) of the Georgia Code of Judicial Conduct, by failing to disclose a personal relationship with Mr. Hill, a Drug Court participant to Drug Court Staff, giving said participant preferential treatment by allowing him to complete work for pay at the Judge's restaurant, assisting him in being excused from a counseling session in order to assist the Judge with non-judicial matters, extending him an in-chambers meeting with the Judge and Drug Court Staff instead of immediately taking him into custody after a positive drug screen, and by meeting with him outside of a participant group or court setting to discuss his desire to get out of the Drug Court program.

COUNT FOUR

78.

In and between November of 2016 and November of 2018, Judge Lim conveyed and enabled others to convey the impression that they were in a position to influence him as a judge, in violation of Rule 2.4 (C) of the Georgia Code of Judicial Conduct, by giving Mr. Hill preferential treatment by allowing him to complete work for pay at the Judge's restaurant, assisting him in being excused

from a counseling session in order to assist the Judge with non-judicial matters, extending him an in-chambers meeting with the Judge and Drug Court Staff instead of immediately taking him into custody after a positive drug screen, and by meeting with him outside of a participant group or court setting to discuss his desire to get out of the Drug Court program.

COUNT FIVE

79.

On or about March 12, 2017, Judge Lim did lend the prestige of his office to advance his private interests, in violation of Rule 1.3 of the Georgia Code of Judicial Conduct, by calling Mr. Lanier and requesting that he excuse Mr. Hill from a counseling session so that Mr. Hill could continue working and assisting at Judge Lim's restaurant to get it ready to open.

COUNT SIX

80.

On or about March 12, 2017, Judge Lim failed to refrain from financial and business dealings with individuals which reflect adversely on his impartiality and interfered with the proper performance of his judicial duties, in violation of Rule 3.11 (B) of the Georgia Code of Judicial Conduct, by having Mr. Hill, an active Drug Court participant, work for pay at the Judge's restaurant.

COUNT SEVEN

81.

In and between November of 2016 and November of 2018, Judge Lim failed to disqualify himself in a proceeding in which his impartiality might reasonably have been questioned, in violation of Rule 2.11 (A) of the Georgia Code of Judicial Conduct, by failing to disqualify himself in Mr. Hill's criminal cases which came before him in Drug Court.

COUNT EIGHT

82.

On March 19, 2021, Judge Lim did fail to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, by making the following false and misleading statements to the Investigative Panel during his appearance:

- He informed Drug Court Staff of his personal relationship with Mr. Hill *prior* to Mr. Hill's admission into the Drug Court program;
- Nobody with the Drug Court Staff had come to him and expressed concerns regarding his relationship with Mr. Hill and his family and his treatment of Mr. Hill compared to other Drug Court participants; and
- He had not employed Mr. Hill at his restaurant.

COUNT NINE

83.

On March 19, 2021, Judge Lim did fail to establish, maintain, and enforce high standards of conduct, and to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the Georgia Code of Judicial Conduct, by making the following false and misleading statements to the Investigative Panel during his appearance:

- He informed Drug Court Staff of his personal relationship with Mr. Hill *prior* to Mr. Hill's admission into the Drug Court program;
- Nobody with the Drug Court Staff had come to him and expressed concerns regarding his relationship with Mr. Hill and his family and his treatment of Mr. Hill compared to other Drug Court participants; and
- He had not employed Mr. Hill at his restaurant.

COUNT TEN

84.

On March 19, 2021, Judge Lim did fail to respect and comply with the law in violation of Rule 1.1 of the Georgia Code of Judicial Conduct, by violating O.C.G.A. 16-10-20, by making the following statement to the Investigative Panel during his appearance:

- Nobody with the Drug Court Staff had come to him and expressed concerns regarding his relationship with Mr. Hill and his family and his treatment of Mr. Hill compared to other Drug Court participants.

**Romantic Relationship with Clerk's Office Employee**

COUNT ELEVEN

85.

In and between May 11, 2016 and August 31, 2016, Judge Lim did fail to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, by beginning a romantic relationship with Ms. Hernandez, a Polk County Clerk's Office employee who appeared in front of the Judge to assist with Spanish interpretation, offering to use her as an interpreter to entice her not to move out of state, and allowing her to stay and live at his home while she was employed at the Polk County Clerk's Office.

COUNT TWELVE

86.

In and between May 11, 2016 and August 31, 2016, Judge Lim did fail to establish, maintain, and enforce high standards of conduct, and to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the

Georgia Code of Judicial Conduct, by beginning a romantic relationship with Ms. Hernandez, a Polk County Clerk's Office employee who appeared in front of the Judge to assist with Spanish interpretation, offering to use her as an interpreter to entice her not to move out of state, and allowing her to stay and live at his home while she was employed at the Polk County Clerk's Office.

COUNT THIRTEEN

87.

On or about May 27, 2016, Judge Lim did lend the prestige of his office to advance his private interests, in violation of Rule 1.3 of the Georgia Code of Judicial Conduct, by promising Ms. Hernandez that he would use her an interpreter as long as he was in office, so long as it helped to get her to not move out of state.

COUNT FOURTEEN

88.

On March 19, 2021, Judge Lim did fail to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, by making the following false and misleading statements to the Investigative Panel during his appearance:

- He had not told Ms. Hernandez that he was going to use her for interpretative services in the courthouse;

- Ms. Hernandez did “not come before [him] for anything or work with [him]” at the courthouse;
- Ms. Hernandez did not move in with him; and
- He had not told Ms. Hernandez that he checked with someone at the State Bar of Georgia or another organization about the appropriateness of their relationship.

COUNT FIFTEEN

89.

On March 19, 2021, Judge Lim did fail to establish, maintain, and enforce high standards of conduct, and to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the Georgia Code of Judicial Conduct, by making the following false and misleading statements to the Investigative Panel during his appearance:

- He had not told Ms. Hernandez that he was going to use her for interpretative services in the courthouse;
- Ms. Hernandez did “not come before [him] for anything or work with [him]” at the courthouse;
- Ms. Hernandez did not move in with him; and

- He had not told Ms. Hernandez that he checked with someone at the State Bar of Georgia or another organization about the appropriateness of their relationship.

COUNT SIXTEEN

90.

On March 19, 2021, Judge Lim did fail to respect and comply with the law in violation of Rule 1.1 of the Georgia Code of Judicial Conduct, by violating O.C.G.A. 16-10-20, by making the following statements to the Investigative Panel during his appearance:

- He had not told Ms. Hernandez that he was going to use her for interpretative services in the courthouse;
- Ms. Hernandez did “not come before [him] for anything or work with [him]” at the courthouse;
- Ms. Hernandez did not move in with him; and
- He had not told Ms. Hernandez that he checked with someone at the State Bar of Georgia or another organization about the appropriateness of their relationship.



#### IV. CONCLUSION

91.

Violations of the Georgia Code of Judicial Conduct support discipline when they amount to “willful misconduct in office” or “conduct prejudicial to the administration of justice which brings the judicial office into disrepute.” Ga. Const. of 1983, Art. VI, Sec. VII, Par. VII (a); JQC Rule 6 (A) (5). Judge Lim’s conduct as alleged above amounts to willful misconduct in office and is prejudicial to the administration of justice, bringing his judicial office into disrepute. Therefore, the Director hereby seeks disciplinary action for the above-stated violations of the Georgia Code of Judicial Conduct.

**NOTICE OF FORMAL CHARGES**

Pursuant to JQC Rules 13, 19, and 20, and by filing these Formal Charges with the Hearing Panel, Judge Lim is hereby notified of the above alleged misconduct and is required to file a verified answer to these charges with the Clerk of the Supreme Court and serve a copy of the verified answer on the Director. The answer shall be filed within thirty (30) days after service of these Formal Charges. Failure to answer the Formal Charges shall constitute an admission of the factual allegations pursuant to JQC Rule 21 (A).

Respectfully submitted this 15<sup>th</sup> day of July, 2021.

s:\CHARLES P. BORING  
Charles P. Boring, Director  
Judicial Qualifications Commission  
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Atlanta, GA 30339  
Georgia Bar No. 065131  
cboring@gajqc.gov

**CERTIFICATE OF SERVICE**

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

**Formal Charges**

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, and by forwarding via electronic mail to the below addresses:

**Dennis Cathey  
Cathey & Strain Attorneys at Law  
649 Irvin Street  
P.O. Box 689  
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This 15<sup>th</sup> day of July, 2021.

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