

North Carolina Supreme Court Justice Anita Earls Cleared of Ethics Probe



North Carolina Supreme Court Justice Anita Earls announced on Wednesday that a state judicial ethics panel has dropped its investigation into her comments regarding the lack of diversity in the state's courts. Notably, the panel did not recommend any disciplinary actions against her.

Legal Victory for Justice Earls

Justice Earls, one of the two Democrats and the sole Black woman among the seven members of the state high court, revealed that she would no longer pursue a federal lawsuit against the North Carolina Judicial Standards Commission. The lawsuit, which accused the commission of suppressing her freedom of speech, was filed after she spoke out about the diversity challenges within the legal system.

"I continue to believe that the First Amendment protects my ability to speak about matters of racial equity in the legal system," Justice Earls stated.

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Origins of the Probe

The 16-member Judicial Standards Commission initiated the investigation following Earls' comments to Law360 in a June article. She discussed "implicit biases" among her colleagues, highlighted the limited hiring of Black law clerks, and criticized the court's conservative majority for disbanding a commission addressing racial and gender inequality in the judicial system.

In August, the commission notified Earls about the examination, questioning whether her comments violated the North Carolina Code of Judicial Conduct. The focus was on whether her actions, as per Canon 2A of the Code, undermined public confidence in the integrity and impartiality of the judiciary.

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Lawsuit and Legal Battle

In response to the commission's actions, Justice Earls filed a lawsuit in August, denouncing it as a "blatant attempt to chill my First Amendment rights to freedom of speech." She claimed that the probe had led her to decline speaking and writing opportunities. However, in November, U.S. District Judge William Osteen, a Republican appointee, rejected her request for a preliminary injunction to halt the investigation.

An appeal of Judge Osteen's ruling had been awaiting consideration before the 4th U.S. Circuit Court of Appeals.

Don't be a silent ninja! Let us know your thoughts in the comment section below.

