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February 18, 2026

Via email & hand delivery

Vice Chairman John C. Blanton
Kentucky House of Representatives
2026 Impeachment Committee
702 Capitol Avenue, Room 307
Frankfort, KY 40601
John.Blanton@kylegislature.gov
c/o Roberta.Kiser@kylegislature.gov

RE: Justice Pamela R. Goodwine

Dear Vice Chairman Blanton:

On behalf of Justice Pamela R. Goodwine, thank you for the opportunity to provide this response. We look forward to the committee's review, thank the committee for its careful consideration of the issues presented, and look forward to the dismissal of the petition.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cgi", is written over a light blue circular stamp.

Carmine G. Iaccarino
Counsel for Justice Pamela R. Goodwine

Enclosure: Justice Pamela R. Goodwine's response to the impeachment petition

cc: J. Guthrie True
Jeffrey C. Mando
Counsel for Justice Pamela R. Goodwine

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RE: Justice Pamela R. Goodwine

Dear Vice Chairman Blanton and members of the impeachment committee:

This document serves as Justice Pamela R. Goodwine's response to the Petition for Impeachment filed against her by Jack Richardson ("petition"), and her request for the petition to be dismissed. In sum, Justice Goodwine states that:

- (1) The petition does not meet the statutory requirement of Kentucky Revised Statutes (KRS) 63.030(1) and should be dismissed;
- (2) She was not required to recuse under either KRS 26A.015 or Rule 2.11 of the Code of Judicial Conduct;
- (3) She did not violate the Rules of Appellate Procedure 43(b)(1)(a);
- (4) She did not violate the due process of litigants, nor has she undermined faith in the judiciary and the justice system; and
- (5) Impeachment is not warranted and would reverse the will of a bipartisan electorate that elected her by an overwhelming, unprecedented margin.

INTRODUCTION

The House of Representatives has been asked to impeach Justice Goodwine based on the suggestion that *independent expenditures* made during her election for the Kentucky Supreme Court somehow created a conflict of interest and compromised her ability—her duty—to vote on a petition for rehearing that was pending at the time of her overwhelming election. That request should be denied. No elected official should be prevented from performing their duties because of the free speech of others. To indulge such a petition or to entertain the grave request that has been made would be antithetical to a free republic.

In November 2024, Justice Goodwine was elected to the Kentucky Supreme Court from the 5th Supreme Court District, which includes Bourbon, Clark, Fayette, Franklin, Jessamine, Madison, Scott, and Woodford Counties. She was elected by a bipartisan electorate and secured an aggregate 77% of the vote. She won each of the eight counties in her district by an overwhelming and unprecedented margin.¹ Her eight-year term started on January 6, 2025. Justice Goodwine is one of only five justices in history—and the only woman—elected to serve at every level of Kentucky’s judiciary.²

Justice Goodwine has a distinguished 26-year judicial career, marked by many notable achievements. She received the Henry T. Pennington Trial Judge of the Year award, earned a Master of Laws degree, and was recently honored with the Justice William E. McAnulty Jr. Award by Chief Justice Debra Lambert for her exceptional service and dedication to the Kentucky Court of Justice. She has also earned many other awards, honors, and recognitions.

Based solely on her judicial decision to grant a petition for rehearing, the petitioner, Jack Richardson, has filed a petition seeking Justice Goodwine’s impeachment and removal from office, claiming she had a conflict of interest that required recusal. Mr. Richardson was not a party to the case about which he complains, nor did he represent any party to that case. Moreover, none of the actual parties to the case challenged Justice Goodwine’s participation in deciding the petition for rehearing.³ By filing this petition, Mr. Richardson hopes the General Assembly will ignore its own prior procedural precedent and the will of the people, as demonstrated by their election of Justice Goodwine. The petition is deficient, meritless, and fails to justify any further impeachment inquiry. The Committee should dismiss the petition.

FACTUAL AND PROCEDURAL BACKGROUND

I. Case History

How did we arrive at this point? The General Assembly passed Senate Bill (“SB”) 1 in 2022, which limited the obligations and duties of a school board regarding its superintendent “in a county school district in a county with a consolidated local government adopted under KRS Chapter 67C.” SB 1 applied only to one of Kentucky’s 120 counties, Jefferson County.

¹ Bourbon 5,575 (76%), Clark 9,544 (73%), Fayette 92,726 (81%), Franklin 14,394 (75%), Jessamine 13,606 (69%), Madison 23,278 (75%), Scott 16,666 (75%), and Woodford 8,032 (71%). These results show that Justice Goodwine would have won the 2024 election without PAC independent expenditures.

² Justice Goodwine has won four vigorously contested judicial races funded through campaign contributions raised by her campaign committees, none of which were controlled or coordinated with other entities’ individual expenditures.

³ Both the House of Representatives and the Senate filed amicus briefs in the case, and neither Chamber questioned Justice Goodwine’s participation in deciding the petition for rehearing. Yet the House is now asked to impeach Justice Goodwine for conduct unchallenged in its amicus brief.

The Jefferson County Board of Education (“JCBOE”) challenged the constitutionality of this legislation in a lawsuit in the Jefferson Circuit Court, Case No. 22-CI-12816. The constitutional challenge was based on Sections 59 and 60 of the Kentucky Constitution. Those sections prohibit local or special legislation.

After briefing and argument, the trial court found SB 1 unconstitutional because it was impermissible local legislation affecting only one county. The Court of Appeals affirmed (2022-CA-0964), and the Kentucky Supreme Court granted discretionary review. Justice Shea Nickell authored the original majority opinion, joined by then-Chief Justice Laurance VanMeter, Chief Justice Debra Lambert, and Justice Robert Conley, reversing the Court of Appeals. *Russell Coleman v. Jefferson County Board of Education and Robbie Fletcher, Commissioner of the Kentucky Department of Education*, 2023-SC-0498.

The majority concluded that, while the legislation currently only applies to Jefferson County and acknowledging that this will not change in the foreseeable future, it does not run afoul of Kentucky Constitution Section 59 because it is always possible another city may someday qualify as a consolidated local government adopted under KRS Chapter 67C, resulting in the statute applying to another county.

The majority held that the appropriate test is found in *Calloway County’s Sheriff Department v. Woodall*, 607 S.W.3d 557, 573 (Ky. 2020), which limited the Section 59/60 inquiry to whether the statute applies to a particular individual, object, or locale. The Court concluded that SB 1 did not explicitly refer to Louisville or Jefferson County and it was therefore not special legislation.

Justice Angela Bisig authored the dissent, joined by Justice Michelle Keller and Justice Kelly Thompson, concluding that SB 1 “blatantly violate[d]” the Kentucky Constitution. The dissent criticized the *Woodall* opinion for not including in its analysis whether the legislation is based on unreasonable or arbitrary classification, noting, for example, that the school board in the largest county in the state is limited under this legislation to meetings no more frequently than every four weeks, unlike any other school board in the state which does not operate under this restriction.

The Kentucky Supreme Court decided the case on December 19, 2024. Former Chief Justice VanMeter retired effective January 6, 2025, when his successor, Justice Goodwine, was sworn in as an associate Justice. As is allowed under the Court’s procedural rules, JCBOE filed a petition for rehearing under the Rules of Appellate Procedure (RAP) 43(B)(1), and Justice Goodwine voted with the three dissenting justices to grant the petition and rehear the case.⁴ The Kentucky Supreme Court heard oral arguments on rehearing in August 2025 and, on December 18, 2025, rendered a decision on the merits, finding SB 1 unconstitutional. With this decision, a total of twelve judges/justices have reviewed SB 1, and eight have found it unconstitutional.

⁴ Though Mr. Richardson argues that voting to grant a petition for rehearing is rare, it is not. Every current Justice has voted to grant a petition for rehearing, and Justice Goodwine also voted to grant a petition for rehearing in *Woodall v. Commonwealth*, 2022-SC- 0232-MR. As recently as December 18, 2025, in a 5-2 majority opinion authored by Justice Nickell, the Court granted a petition for rehearing to withdraw the unanimous majority opinion which had been rendered less than two months earlier. See *Thomas R. Moore v. Commonwealth*, 2024-SC-0113 (Dec. 18, 2025).

II. The Petitioner – Jack Richardson

Before the Kentucky Supreme Court could decide the merits of the petition for rehearing, Mr. Richardson, an attorney from Louisville and former leader of the Republican Party in Jefferson County, petitioned Kentucky’s House of Representatives to impeach Justice Goodwine under Section 68 of the Kentucky Constitution.

Justice Goodwine does not personally know Mr. Richardson and, to her knowledge, has never met him. He has lamented that many judges are “psychotic,” “totally detached from reality,” and that “this has got to stop.”⁵ Mr. Richardson has called for handcuffing judges, fingerprinting them, and incarcerating them, arguing that impeachment is too slow.⁶ His rebuke is not limited to the Commonwealth’s judiciary. It extends to the federal judiciary as well.⁷

Given the national escalation in vitriol and violent rhetoric against judges, the petition may be fairly viewed as an intimidation tactic intended to leverage Justice Goodwine to vote a certain way when deciding the merits of the petition for rehearing, or in the alternative, to recuse from its decision altogether, resulting in a 3-3 tie, which would have left the previous majority opinion undisturbed. However viewed, the tactic is inappropriate.

Mr. Richardson alleges that Justice Goodwine has “breached the public trust and engaged in a variety of inappropriate acts, any one of which constitutes an impeachable misdemeanor.” In the petition, Mr. Richardson lists Justice Goodwine’s impeachable “misdemeanors” as:

- 1) The alleged failure to recuse from the school board case, where “she had a blatant conflict of interest and an inescapable appearance of bias” (citing KRS 26A.015 and Rule 2.11 of the Code of Judicial Conduct) because her candidacy for the Kentucky Supreme Court was independently supported by a teachers’ union and Governor Andy Beshear;
- 2) The Justice’s vote for rehearing, which he believes violated the Rules of Appellate Procedure;
- 3) His belief that Justice Goodwine violated the due process rights of the litigants appearing before her by not recusing herself; and
- 4) His belief that Justice Goodwine’s alleged failure to recuse and her vote for rehearing have undermined faith in the judiciary and the justice system.

⁵ Joe Sonka, *Petition filed to impeach Kentucky Justice Goodwine over alleged conflicts*, Ky. Pub. Radio (Oct. 29, 2025). A copy is attached at **Tab A**.

⁶ Jack Richardson IV, *The Greatest Threat to America—The Judiciary*, Bluegrass Chronicles blog (Sept. 1, 2025). A copy is attached at **Tab B**.

⁷ *Id.*

In sum, Mr. Richardson alleges Justice Goodwine's judicial decision to vote to grant a petition for rehearing constitutes an impeachable misdemeanor. He is wrong. Independent expenditures during a political campaign are core free speech and cannot give rise to a conflict of interest as they pose no threat of quid pro quo corruption.⁸ Justice Goodwine was doing her job when she voted on the petition for rehearing.

The petition is statutorily deficient. It also lacks any merit. For those reasons, Justice Goodwine asks this Committee to dismiss the petition.

RESPONSE

As a justice on the Supreme Court of Kentucky and a constitutionally elected officer, Justice Goodwine is sworn to uphold the law. She takes that solemn obligation and duty very seriously. She knows that she must treat all litigants who appear before her both fairly and impartially. She campaigned on that message, and the voters affirmed her promise. Justice Goodwine won her election by a resounding 125,000 votes and an overwhelming and unprecedented margin of 77% to 23%. Given those numbers and the bipartisan support she received, it is clear that Justice Goodwine would have won the 2024 election without any independent expenditures.

1. The Petition fails to meet the statutory requirements of KRS 63.030(1) and should be dismissed.

The General Assembly has set forth the procedure for initiating an impeachment.⁹ KRS 63.030(1) provides that “[a]ny person may, by written petition to the House of Representatives, signed by himself, **verified by his own affidavit** and the affidavits of such others as he deems necessary, and setting forth the facts, pray the impeachment of any officer.” Thus, a valid petition must be: (1) submitted by a person; (2) in writing; (3) signed by the person submitting it; and (4) include an affidavit that sets forth the facts that justify impeachment.

Here, Mr. Richardson failed to verify the petition by his own affidavit. That omission invalidates the petition. In the absence of the verifying affidavit, the petition should be dismissed. *See Flint v. Kentucky Legislative Ethics Commission*, 2014-CA-000745-MR, 2015 WL 215871 (May 8, 2015).¹⁰ The Committee asked Mr. Richardson to provide more information by February 6, but he failed to do so, and he should not now be permitted to supplement or “cure” his deficient filing. The requirement that allegations praying for impeachment be “verified” is clear and unambiguous.

Even if Mr. Richardson had attached a verified affidavit, impeachment is not warranted, given the dubious facts and law presented in the petition. KRS 63.020 through KRS 63.075 address the mechanics of impeachment. KRS 63.035(2) requires that the misdemeanor committed in office be

⁸ *Citizens United v. Federal Election Comm'n*, 558 U.S. 310 (2010).

⁹ *But see* Ky. Const. § 121 (committing removal and disqualification of justices and judges to the Judicial Conduct Commission).

¹⁰ This is an unpublished decision, which under the Supreme Court's rules, would have to be cited in accordance with the Rules of Appellate Procedure (“RAP”) 41.

stated with reasonable certainty. While the statutory provisions do not define “misdemeanor,” they imply criminal activity. Participating in a judicial decision is not a criminal act—no matter how objectionable the result may be to any individual, and it does not amount to an impeachable offense.

Impeachments in Kentucky have been reserved for serious misconduct in office, but even then, they are rare. Mr. Richardson has not identified any misconduct by Justice Goodwine. A vote to grant a petition is a judicial decision and is not misconduct. Given the petition’s lack of a verified affidavit and lack of substance, the Committee should dismiss it. If the Committee chooses not to dismiss the petition on procedural grounds, it should be rejected for its lack of merit.

2. Justice Goodwine was not required to recuse under KRS 26A.015(2) or Rule 2.11 of the Kentucky Code of Judicial Conduct.

Mr. Richardson contends that Justice Goodwine violated KRS 26A.015 and Rule 2.11 of the Kentucky Code of Judicial Conduct when she did not recuse from the JSBOE case and voted on the petition for rehearing. Neither the statute nor the rule required Justice Goodwine to recuse. The applicable provisions in KRS 26A.015(2) provides:

- (2) Any justice or judge of the Court of Justice . . . shall disqualify [herself] in any proceeding:
 - (a) Where [she] has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings, or has expressed an opinion concerning the merits of the proceeding;
 - ...
 - (e) Where [she] has knowledge of any other circumstances in which [her] impartiality might reasonably be questioned.

On its face, KRS 26A.015(2)(a) is limited to (1) allegations of personal bias or prejudice regarding a party, (2) personal knowledge of disputed evidentiary facts concerning the proceedings, or (3) having expressed an opinion about the merits of the proceedings. Mr. Richardson has failed to present any evidence of any element under subsection (a). Additionally, Mr. Richardson does not present any evidence showing facts “of a character calculated seriously to impair [her] impartiality and sway [her] judgment.” *Id.* Campaign contributions do not qualify. *See Dean v. Bondurant*, 193 S.W.3d 744, 751 (Ky. 2006). Furthermore, the expenditures Mr. Richardson referenced were not campaign contributions; instead, they were independent expenditures over which Justice Goodwine’s campaign committee had no control and did not coordinate.¹¹

¹¹ Currently, the Republican National Senatorial Committee has a case pending before the United States Supreme Court challenging whether limits on certain coordinated expenditures between political parties and campaign committees violate the First Amendment. *Republican Senatorial Campaign Committee v. Fed. Election Comm’n*, No. 24-621 (oral arguments heard Dec. 9, 2025). **For some political party affiliates to seek to eliminate limits on *coordinated* expenditures on First Amendment**

Mr. Richardson also alleges Justice Goodwine was required to recuse under Rule 2.11 of the Kentucky Code of Judicial Conduct. Under the Code of Judicial Conduct,¹² a justice should recuse from deciding a case or participating in a decision when his or her impartiality might reasonably be questioned. The inquiry is objective, made from the perspective of a reasonable observer who is informed of all the surrounding facts and circumstances. *Dean*, 193 S.W.3d at 746; *see also Lilgeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 850 (1988) (quoting 28 U.S.C.¹³ § 455(a), which mandates judicial disqualification “in any proceeding in which . . . impartiality might reasonably be questioned” to be evaluated from the standpoint of “a reasonable person, knowing the relevant facts.”). Again, as *Dean* makes clear, campaign contributions generally do not constitute grounds for disqualification. Here, however, Mr. Richardson points to independent expenditures by parties not before the Court, not to any campaign contributions.

If a party is concerned that a judge’s impartiality “might reasonably be questioned,” that party should file a motion to recuse to bring to the judge’s attention the party’s concern and allow the judge to respond. When faced with a motion to recuse, the decision to recuse is at the judge’s sole discretion. *Minks v. Commonwealth*, 427 S.W.3d 802, 808 (Ky. 2014). Yet the Attorney General did not file a motion seeking Justice Goodwine’s recusal in this case—even though he has done that in other cases. If the Attorney General did not think recusal was necessary, it is difficult to comprehend how *impeachment* is warranted.

That aside, given her election results, no reasonable person would agree that Justice Goodwine was required to recuse. Throughout her campaign, Justice Goodwine’s quarterly KREF reports show that her campaign committee raised over \$470,000 in direct campaign contributions from individuals donating \$2,100 or less in each reporting period.¹⁴ That fundraising and her grassroots campaigning, aided by hundreds of volunteers, yielded her resounding victory, not independent expenditures by outside entities over which neither she nor her campaign had any control. As *Dean* clearly holds, Justice Goodwine did not violate KRS 26A.015 (2) nor Rule 2.11 of the Kentucky Code of Judicial Conduct. Mr. Richardson’s argument otherwise is wrong, and the petition should be dismissed.

The voters of the Commonwealth of Kentucky have consistently supported maintaining the judiciary’s nonpartisan nature. Allowing ideology to form the basis of motions to recuse or other methods seeking a judge’s removal goes against the wishes of Kentucky’s electorate. Kentucky’s

grounds while, at the same time, Justice Goodwine’s impeachment is sought in circumstances involving clear and unequivocal *independent* expenditures, seems counterintuitive, if not hard to square with the request made here.

¹² Supreme Court Rule (SCR) 4.300, Rule 2.11(A).

¹³ United States Code (footnote added).

¹⁴ The 2024 Kentucky Registry of Election Finance (KREF) reports show Justice Goodwine’s campaign committee raised a total of \$470,516.61 compared to her opponent’s \$74,783.56.

highest court has rightly said that “[e]lections are not lightly set aside,”¹⁵ and the standard for doing so is “extraordinarily high.” *Hardin v. Montgomery*, 495 S.W.3d 686, 694 (Ky. 2016).

Another important consideration for recusal is a judge’s obligation to decide. The judicial canons require that “[a] judge shall hear and decide matters assigned to the judge except when disqualification is required by Rule 2.11.”¹⁶

However, a judge’s recusal can have a disproportionately negative effect on the Court. *Dean*, 193 S.W.3d at 746. Unlike in lower courts, a recused justice is not easily replaced; “[n]ot only is the Court deprived of the participation of one of its [seven] members, but the even number of those remaining creates a risk of affirmance of a lower court decision by an equally divided court.” *Id.* (quoting *Microsoft Corp. v. United States*, 530 U.S. 1301, 1303 (2000)).

In other words, absent good cause for recusal, judges have a duty to remain on and decide a given case. *Presbyterian Church (U.S.A.) v. Edwards*, 594 S.W.3d 199 (Ky. 2018) (citations omitted). In *Laird v. Tatum*, Justice Rehnquist explained that judges have a duty to hear and participate in a case as strong as the duty not to hear and participate. 409 U.S. 824, 837 (1972). The Judicial Canons put it this way:

Unwarranted disqualification may bring public disfavor to the court and to the judge personally. The dignity of the court, the judge’s respect for fulfillment of judicial duties, and a proper concern for the burdens that may be imposed upon the judge’s colleagues require that a judge not use disqualification to avoid cases that present difficult, controversial, or unpopular issues.

Rule 2.7, Comment 1.

Stated another way, there may be times when it would be personally convenient to abstain from a case. Justice requires otherwise.¹⁷

¹⁵ *Stewart v. Wurts*, 135 S.W. 434, 439 (Ky. App. 1911) (quoting *Skain v. Milward*, 127 S.W. 773 (Ky. 1910) (“[Elections] are the means provided by law for the expression of the will of the people. To set them aside unnecessarily would be to destroy that confidence in them which is essential.”)).

¹⁶ Mandatory disqualification applies in some situations, such as when the judge participated in the underlying case, KRS 26A.015(2)(a) or (b), or has a financial interest in its outcome under KRS 26A.015(2)(c).

¹⁷ Justice Goodwine shares former Chief Justice VanMeter’s sentiment that “[o]ver my [26-year] judicial career at all four levels of the Kentucky judiciary, I have had numerous occasions in which a case has appeared on the docket which may have been preferable to avoid—because of the parties, attorneys, or issues involved. The nature of being judge, however, is that one does not get to select the cases which arise, and ones has an obligation to decide.” *Presbyterian Church*, 594 S.W.3d at 205, n.12.

3. Justice Goodwine did not violate RAP 43(b)(1)(a).

Mr. Richardson contends that Justice Goodwine violated RAP 43(b)(1)(a) when she voted to grant the petition for rehearing. As a basis, Mr. Richardson points to the three justices who disagreed with granting the petition and who argued that it was inappropriate to grant the petition because the issues had already been presented to the Court in previous briefing. Yet those justices voiced a disagreement among jurists—not a violation of the rules by Justice Goodwine. Regardless, three other justices agreed with her that the petition for rehearing should be granted. Even so, Mr. Richardson has not moved to impeach the other members of the Court who voted the same way.

RAP 43(B)(1)(a) provides:

[E]xcept in extraordinary cases when justice demands it, a petition for rehearing shall be limited to a consideration of the issues argued on the appeal and will be granted only when it appears that the court has overlooked a material fact in the record, or a controlling statute or decision, or has misconceived the issues presented on the appeal or the law applicable thereto.

A petition for rehearing is a tool litigants may use to bring to the Court's attention errors it may have made, or a specific law that may have been overlooked or misapplied. It is not a political tool. Voting to grant a petition for rehearing does not violate the RAPs. If it were so, how could Justice Goodwine be the only Justice accused of violating the appellate rules in this way? Three other justices agreed that the matter should be reconsidered, and it took four votes to grant the petition.

Voting to grant a petition for rehearing is not uncommon, especially when a new judge or Justice is sworn in. The Court regularly reviews petitions for rehearing. For example, in January 2019, Chief Justice Debra Lambert was elected to the Supreme Court, and she later voted to grant a petition for rehearing in a case in which her predecessor, Justice Daniel Venters, had authored the Court's earlier opinion. *See Lawrence v. Bingham Greenbaum Doll, LLP*, 2017-SC-0531 (Mar. 14, 2019). As recently as December 18, 2025, the Court rendered a 5-2 decision granting a petition for rehearing, withdrawing a unanimous opinion written a few months earlier. It happens.

Just as Chief Justice Lambert did not violate the RAPs when she voted to grant a petition for rehearing in 2019, a few months after taking the bench, it was not a violation when Justice Goodwine did the same thing a few months after she took the bench. Moreover, three other votes were in favor of granting the petition. Simply put, voting to grant a petition for rehearing is not a violation. Mr. Richardson's argument in this regard lacks merit and does not provide a basis to impeach Justice Goodwine.

4. Justice Goodwine did not violate the due process of litigants, nor has she undermined faith in the judiciary and the justice system.

In an effort to suggest that Justice Goodwine violated the litigants' due process rights and undermined faith in the judiciary and the justice system, Mr. Richardson relies on the United States Supreme Court's decision in *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). Before addressing

Caperton, the Committee must acknowledge that in a court, Mr. Richardson would not have any standing to assert due process violations on behalf of other litigants.

Standing is the right or ability of a party to bring a lawsuit because that party has a direct, personal stake and has suffered, or will suffer, a concrete injury from the action or law being challenged, ensuring that courts hear only actual, not hypothetical, disputes. *Cabinet for Health & Family Servs. v. Sexton*, 566 S.W.3d 185 (Ky. 2018). Mr. Richardson lacks standing to assert the due process rights of others. To have standing, Mr. Richardson would have to show that he suffered an injury caused by Justice Goodwine that can be redressed by the action sought. He cannot make that necessary showing. And what's more, none of the actual litigants to the JCBOE case have suggested that Justice Goodwine's actions violated their rights.¹⁸

Mr. Richardson should not be permitted to pursue the extreme sanction of impeachment in circumstances where he has suffered no injury, no client of his has suffered an injury, no actual party to the case upon which he rests his impeachment petition contends that Justice Goodwine's judicial decisions violated their rights and caused injury, and the petition relies on mere unsupported innuendo. Instead, there is a "presumption of honesty and integrity in those serving as adjudicators." *Caperton*, 556 U.S. at 891 (Roberts, C.J. dissenting, joined by Scalia, J., Thomas, J., and Alito, J.) (quoting *Withrow v. Larkin*, 421 U.S. 35, 47 (1975)). Justice Goodwine is entitled to that presumption.

Mr. Richardson's argument would not hold up in any court of this Commonwealth. It thus should not hold up before this Committee. Putting aside the fact that Mr. Richardson lacks standing to assert his claims, the claims lack any merit because neither party to the JCBOE case filed a motion to recuse or asked Justice Goodwine to recuse; that is a relevant distinction from the facts in *Caperton*.

In *Caperton*, Massey Coal found itself on the losing end of a \$50 million jury verdict and appealed. During that case, West Virginia held its 2004 judicial elections. The incumbent judicial candidate faced a challenger (Benjamin), and Massey's CEO, Don Blankenship, supported the challenger by donating \$3 million—more than all other supporters combined and exceeding the challenger's own committee. The challenger won by fewer than 50,000 votes.

Before Massey filed its appeal, *Caperton* moved to disqualify the newly elected Justice Benjamin under the Due Process Clause and the West Virginia Code of Judicial Conduct, citing the conflict caused by Blankenship's campaign expenditures. Justice Benjamin denied the motion, saying he found no evidence of bias for or against any litigant. The court then overturned *Caperton*'s \$50 million verdict against Massey Coal. During the rehearing, Justice Benjamin again refused to recuse himself, and the court reversed the jury verdict once more.

Caperton filed a petition for writ of certiorari before the United States Supreme Court, which was granted. Justice Kennedy wrote the 5-4 majority opinion for a divided Supreme Court, finding that the newly elected justice should have recused himself as a matter of due process. *Caperton*, 556 U.S. at 868. Justice Kennedy held that "[u]nder our precedents there are objective standards that require recusal when 'the probability of actual bias on the part of the judge or decisionmaker is too

¹⁸ Although the Attorney General has asked Justice Goodwine to recuse in other cases, he did not do so in the JCBOE case.

high to be constitutionally tolerable.” *Id.* at 870 (citing *Withrow v. Larkin*, 421 U.S. 35, 47 (1975)). Justice Kennedy opined that “in all the circumstances of this case, due process requires recusal.” *Id.*

Justice Kennedy framed the issue as follows:

In this case the Supreme Court of Appeals of West Virginia reversed a trial court judgment, which had entered a jury verdict of \$50 million. Five justices heard the case, and the vote to reverse was 3 to 2. The question presented is whether the Due Process Clause of the Fourteenth Amendment was violated *when one of the justices in the majority denied a recusal motion. The basis for the motion was that the justice had received campaign contributions in an extraordinary amount from and through the efforts of the board’s chairman and principal officer of the corporation found liable for the damages.*

Id. (emphasis added).

For multiple reasons, *Caperton* is nothing like this case. First, Massey Coal was a party to the litigation. Its CEO contributed \$3 million to the judicial candidate who went on to win the election and preside over the appeal. Neither party in the JCBOE case—directly or indirectly—contributed to Justice Goodwine’s campaign. Second, due to the personal campaign contributions of Massey’s CEO, Caperton filed a motion requesting that the newly elected justice recuse from the case. No party in the JCBOE case asked Justice Goodwine to recuse. Finally, during the rehearing process, Caperton filed another motion to recuse, and Justice Benjamin again denied it. Again, no such motion seeking Justice Goodwine’s recusal was filed, and no person with a personal stake in the JCBOE case had a significant and disproportionate influence on Justice Goodwine’s election to the bench.

Even if *Caperton* had any relevance here—and it does not—the *Caperton* dissent points out, “the majority’s decision will undermine rather than promote the values of maintaining a fair, independent, and impartial judiciary.” *Caperton* 556 U.S. at 890 (Roberts, C.J., dissenting). In his dissent, Chief Justice Roberts—joined by Justices Scalia, Thomas, and Alito—notes that “[u]ntil today, we have recognized exactly two situations in which the Federal Due Process Clause requires disqualification of a judge: when the judge has a financial interest in the outcome of the case, and when the judge is trying a defendant for certain criminal attempts.” *Id.*

Vaguer notions of bias or the appearance of bias have never been grounds for disqualification, either at common law or under our constitutional precedents. Instead, these issues have been addressed through legislation or court rules.

Today, however, the Court uses the Due Process Clause to overturn a judge’s failure to recuse itself because of a “probability of bias.” Unlike established reasons for disqualification, a “probability of bias” cannot be clearly defined in a specific way. The Court’s new rule offers no guidance to judges and litigants about when recusal will be constitutionally required.

Id. at 890–91. Since “probability of bias” does not provide a measurable standard, it opens the door to unfounded bias allegations, such as Mr. Richardson’s claims against Justice Goodwine.

The dissent raises forty fundamental questions that must be answered to seriously consider whether a “probability of bias” exists in a situation in which campaign contributions are at the heart of a request to recuse.¹⁹ *Id.* at 893–98. But we do not get to the merits of that analysis, because the two facts that make *Caperton* inapplicable are determinative here. First, there was no motion to recuse in this case by either party. Second, the independent expenditures were not made by a party to the litigation.

No party to the JCBOE case sought Justice Goodwine’s recusal or otherwise suggested that she could not fairly decide the motion for rehearing. It is, therefore, unthinkable to suggest that a nonparty to that case can obtain the impeachment of Justice Goodwine because she supposedly violated the rights of others. Such a limitless standard for the harsh result of impeachment is intolerable. The petition should be dismissed.

5. Impeachment is not warranted under these facts and would reverse the will of a bipartisan electorate that elected Justice Goodwine by an overwhelming, unprecedented margin.

Impeachment of a civil officer is a power rarely exercised because it reverses the will of the people who elected an individual to an office of public trust and undermines the people’s inherent power in a democratic society to choose who governs. *See* Anita Taylor, Legislative Research Comm’n, *Impeachment in Kentucky*, Informational Bulletin No. 176, at 1 (1991). The impeachment of civil officers is rare. The most recent instance was in 2023, when Ronnie Goldy, Jr., a former state prosecutor, was impeached by the Kentucky House and convicted by the Senate on three counts involving a professional misconduct scandal, barring him from holding elected office in the state. *See* 23 RS BR 1256 and 23 RS BR 1349. Before that, Ward “Butch” Burdette, the former Commissioner of Agriculture, was impeached in 1991 after being convicted by a jury in the Franklin Circuit Court of complicity in theft by deception, a felony. He resigned before the Senate proceedings terminated.

In February 2021, a committee of the Kentucky House of Representatives considered impeachment petitions against Governor Andy Beshear for his handling of the COVID-19 pandemic and against Attorney General Daniel Cameron for his handling of the grand jury process related to Breonna Taylor’s death, inciting the Capitol insurrection on January 6, 2021, and alleged misuse of taxpayer funds. In both cases, the impeachment committee dismissed the petitions without advancing articles of impeachment, considering them politically motivated. *See* Ky. House Jour., Reg. Sess. of 2021 (Feb. 21, 2021). In both instances, the impeachment committee stated that no further action should be taken. “Impeachment overturns the election of the accused; its abuse is itself antidemocratic. It must not be allowed to settle scores or relitigate policy disputes.” *Id.*

¹⁹ Consider just a few of those questions: How much money is too much money? What level of contribution or expenditure gives rise to a “probability of bias”? How do we determine whether a given expenditure is “disproportionate”? Disproportionate to what? Are independent, non-coordinated expenditures treated the same as direct contributions to a candidate’s campaign? “The need to consider these and countless other questions helps explain why the common law and this Court’s constitutional jurisprudence have never required disqualification on such vague grounds as ‘probability’ or ‘appearance of bias.’” *Id.* at 898–99.

If impeachment is rare, the impeachment of a judge is even rarer. In February 2020, Kenton County Family Court Judge Dawn Gentry faced an impeachment committee after the Judicial Conduct Commission charged her with nine counts of judicial misconduct. These charges alleged that she used coercion, sex, and retaliation against employees during her tenure on the bench. The specifics were detailed in the resolution presented to the impeachment committee, which was tasked with investigating and reporting back to the full House on whether to issue articles of impeachment. *See* 2020 RS BR 1474, 2020 RS HR 76. Ultimately, the Judicial Conduct Commission removed Gentry from office in August 2020 during the pendency of the House's impeachment investigation. The House impeachment committee chose not to issue articles of impeachment, which would have disqualified Gentry from seeking public office in the future, and the Kentucky Supreme Court upheld Gentry's removal. *Gentry v. Judicial Conduct Commission*, 612 S.W.3d 832 (Ky. 2020).

While Mr. Richardson may disagree with Justice Goodwine's vote in a matter pending before the Court, her alleged conduct differs substantially from the criminal conduct that led to the impeachment and conviction of Goldy and Burdette or the serious abuse of office that led to Gentry's removal from the bench by the Judicial Conduct Commission. His petition is more like the political petitions aimed at Governor Beshear and former Attorney General Cameron, both of which were dismissed as such.

The Kentucky Supreme Court should not be the subject of the sort of gamesmanship that Mr. Richardson's petition will invite. To impeach a Justice of the Supreme Court—*let alone remove her*—based on an *independent expenditure* by a non-party to the litigation at issue and in which no party to that litigation moved for recusal, would weaponize the recusal and removal process itself. Such a rule would perpetuate political gamesmanship and threaten the Court by allowing interested actors entirely outside the litigation to manufacture conflicts and disqualify justices through means beyond their control. If such tactics are allowed to work in the judicial branch, rest assured, they will be tried elsewhere.

Mr. Richardson's real complaint lies with the First Amendment in our constitutional republic. Yet the law has never sanctioned, and the General Assembly should not now endorse, a framework in which recusal turns on the unilateral actions of strangers to a case—least of all where, as here, the Justice to be charged with removal did not—nor could she—receive, authorize, or direct the expenditures about which Mr. Richardson complains. Such an approach is at odds with standard First Amendment analyses because it is unbounded and susceptible to no limiting principle." *Citizens United v. Fed. Comm'n*, 558 U.S. 310, 359 (2010). In other words, Mr. Richardson's "boundless" request will invite an endless stream of baseless removal petitions.

CONCLUSION

Justice Goodwine did not violate KRS 26A.015, Rule 2.11 of the Code of Judicial Conduct, RAP 43(B)(1)(a), the due process rights of litigants, nor undermine faith in the judiciary and the justice system. Impeachment is not warranted in this case, and Justice Goodwine respectfully asks the Committee to dismiss the petition without further action.

Sincerely,



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TAB A

Stream:

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Petition filed to impeach Kentucky Justice Goodwine over alleged conflicts

Kentucky Public Radio | By [Joe Sonka](#)

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Mark Cornelison / Administrative Office Of The Courts

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The impeachment petition alleges Kentucky Supreme Court Justice Pamela Goodwine should have recused herself from an education case she granted a rehearing for.

Louisville attorney and [GOP official](#) Jack Richardson filed a petition with the clerk of the Kentucky House on Tuesday to impeach Kentucky Supreme Court Justice Pamela Goodwine, alleging that she violated judicial rules by failing to recuse herself from an [education-related case](#) where she had a conflict of interest.

Citizens may submit impeachment petitions to the state House, but the representatives of the chamber cannot take them up until they convene the 2026 legislative session, which begins in January.

Richardson's seven-page petition centers around Goodwine's participation in a controversial education case this year, as well as contributions to a political action committee that purchased ads to help elect her.

A 4-3 majority of the Supreme Court [voted in April to rehear a case](#) they had ruled on in December. The original December ruling — a 4-3 decision upholding a 2022 law that limited the power of Jefferson County Public Schools' elected board — occurred a month after [Goodwine was first elected to the office](#), and before Goodwine was sworn into office.

Goodwine was [the swing vote](#) in the new majority to request a rehearing of the case in April, sought for by the Jefferson County Board of Education.

In his impeachment petition, Richardson alleges that Goodwine was bound by the law and judicial conduct rules to recuse herself from the case, citing media reports that an independent political action committee heavily funded by the teachers' union in Louisville spent hundreds of thousands of dollars on ads to help elect her.

Richardson stated that Goodwine "had a blatant conflict of interest and an inescapable appearance of bias, resulting in a decision granting extraordinary relief to

parties who had spent obscene amounts of cash to elect her.” He added that Goodwine rules “in favor of those special interests” by “voiding a ruling adverse to those political patrons,” which created “the appearance (at a minimum) of political bias, and an actual conflict of interest, in violation of the law and rules of judicial ethics.”

Goodwine is the first Black female justice to be elected in Kentucky’s history. Asked about the petition, Goodwine said through a spokesperson that it is not appropriate for her to comment at this time.

Leadership of the House Republican supermajority also did not respond to a request for comment on the petition.

The impeachment petition repeatedly cites [previous reporting from Kentucky Public Radio](#) on political advertisements in support of Goodwine that were funded by the Jefferson County Teachers Association and PACs affiliated with Kentucky’s Democratic Gov. Andy Beshear, and whether those contributions could lead to potential conflicts warranting recusal.

Neither Beshear nor the teachers union were plaintiffs in the case where Goodwine voted for a rehearing, as the lawsuit challenging the 2022 law was brought by the [Jefferson County Board of Education](#) and the former Kentucky education commissioner. Richardson’s petition does not directly address the difference between the school board and the teachers union, nor why the political support of the union and governor would require her recusal from a case where the school board is a party.

In an interview Wednesday, Richardson told Kentucky Public Radio that the Jefferson County school board and teachers union are “different sides of the same coin” and “nobody in their right mind would think otherwise.”

As reported by Kentucky Public Radio last year, Goodwine was elected in November with the help of two independent political action committees that [collectively spent nearly \\$1 million](#) on advertisements supporting her. One of those groups received

[\\$200,000 in contributions from the PAC of the Jefferson County teachers union](#), which has been heavily involved and influential in JCPs school board elections for decades.

The PACs spending in support of Goodwine also received \$100,000 from the Kentucky Education Association – the statewide teachers union – and \$510,000 from two groups affiliated with Beshear.

Asked by Kentucky Public Radio in December if the spending by Beshear’s committees may necessitate her to recuse from future Supreme Court cases where the governor is a party, Goodwine said she would make such decisions on a case-by-case basis and did not think that “a specific monetary amount that was contributed by any party mandates recusal.”

Following the April ruling to rehear the education case, Republican House Speaker David Osborne from Prospect said the unusual move was “troubling at the very least because the facts and arguments of the case remain the same – only the membership of the Court has changed. Unfortunately, judicial outcomes seem increasingly driven by partisan politics. Kentuckians would be better served to keep politics out of the court, and the court out of politics.”

In his impeachment petition, Richardson writes that Goodwine “was certainly aware that her impartiality had been reasonably questioned – publicly and in writing – by multiple parties, and it having been the subject of multiple media reports and editorials.” He further alleged that her lack of a recusal violated a statute, judicial conduct rules and the due process of litigants, as well as “undermined faith in the judiciary and the justice system.”

Richardson is a longtime Republican donor. A review of state and federal campaign finance databases show he has contributed more than \$51,000 over the past three decades to Republican candidates, party committees and aligned PACs. He is also a former chair of the Louisville GOP and current executive committee member of the Republican Party of Kentucky, recently [attempting to censure GOP Congressman Thomas Massie](#) for defying President Donald Trump on certain issues.

He said Wednesday that he has not discussed his petition with any Republican legislators, but hopes they take it seriously and advance it once the session commences in January.

“It's time for the court system in this country to have some accountability,” Richardson said. “They hold everybody else to account, but nobody oversees them. And it's time for there to be some radical judicial reform in this country, and it's going to have to start with the courts and start with the judges.”

Richardson expanded his critique to other judges, [citing a case in Louisville](#) where a man was released from prison on shock probation less than three years into a 14-year sentence, and subsequently abducted a woman and stabbed her.

“We've got a slew of judges that are psychotic,” he said. “That is, they're totally detached from reality, and this has got to stop.”

In 2023, the Kentucky General Assembly removed an elected official through impeachment for the first time in 135 years. Former state prosecutor [Ronnie Goldy Jr.](#) was impeached by the House and convicted on three counts by the Senate, barring him from holding elected office in the state.

[Previous citizen petitions in 2021](#) seeking to impeach Beshear, former Attorney General Daniel Cameron and former GOP Rep. Robert Goforth were dismissed.

This story has been updated to include additional details.

News





Joe Sonka

Joe is the enterprise statehouse reporter for Kentucky Public Radio, a collaboration including Louisville Public Media, WEKU-Lexington/Richmond, WKU Public Radio and WKMS-Murray. You can email Joe at jsonka@lpm.org and find him at BlueSky ([@joesonka.lpm.org](https://bsky.app/profile/joesonka.lpm.org)).

[See stories by Joe Sonka](#)

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TAB B

The Greatest Threat to America — The Judiciary

Authoritarian judges, appointed by the Democrat Left, have turned the Constitution into a suicide pact



JACK RICHARDSON IV

SEP 01, 2025



5



3

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The judiciary cannot be or have the last word. If so, who checks and holds the judiciary accountable? The judiciary? Seriously! It has to change, and the Supreme Court is growing increasingly irrelevant by the day, as it cannot act in a timely fashion. It always takes a garden hose to a house fire.

[Maybe AI](#) is our salvation, as there is no reason that any Supreme Court decision should take more than a few weeks to be decided. After all, the law and the facts have already been threshed out and researched. There is simply no excuse.

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On Friday, August 29, 2025, an appellate court ruled that all of Trump's tariffs were unconstitutional, placing the entire country in financial jeopardy and possibly triggering a financial and economic crisis. Our economy under Trump is super hot, with a GDP at [3.3%, far above expectations](#). All the naysayers were proven wrong about the tariffs. [American wages](#) are on an upswing and beating inflation for the first time in nearly a decade, and Trump is taking care of America. The courts aren't. For them, it's all political and ideological.

The courts were never designed to manage foreign affairs or the economy. They have overreached, and that kind of tyranny is deep-seated within that individual wearing the robe, and thus, they must be removed from office. Our forefathers worried about that potential.

I'm constrained as to how to word this warning, but the judiciary in the country is out of control and poses a direct and imminent threat to the well-being of every citizen. If they are not letting criminals go free to harm others, then they are interfering with presidential and legislative powers. Those in the judiciary are completely detached from reality, and particularly their job responsibilities and limitations. It has to stop.

The first step is to raise hell with your senators and congressmen, such that you make their lives miserable enough to force them to take the action they can take, and that is way overdue. No black-robed authoritarian should have the power to micromanage and control aspects of the government that it has wrongfully usurped. Moreover, to the extent that judges are impeding the protection of our borders and other executive powers, the Justice Department must charge and arrest these judges, as it did recently [in Wisconsin](#).

None of us elected these federal judges, and they must be held to account, even if we have to cuff them and drag them in to be fingerprinted and locked up. If our forefathers could see the tyranny in the judiciary, the Constitution would have been written not with impeachment as a remedy for removal, but with a more direct and immediate removal process. This can and must be done.

In the interim, I suggest that the legislatures controlling the jurisdiction of the courts pass laws that specifically remove the courts' power to review legislation they want to protect from politically motivated judges. It's a start until a broader-ranging remedy can be implemented. Better yet, keep a Republican in the White House, and the judges they appoint will more likely adhere to the restrictions that were originally placed upon judges.

Jack L. Richardson, IV

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