



BEFORE THE JUDICIARY  
COMMISSION OF LOUISIANA

NO. 0397

IN RE: JUDGE SHEVA SIMS  
SHREVEPORT CITY COURT  
CADDO PARISH  
STATE OF LOUISIANA

**ANSWER AND AFFIRMATIVE DEFENSES IN RESPONSE TO NOTICE OF HEARING**

NOW COMES, Judge Sheva Sims and sets forth the following Answer and Affirmative Defenses to the Notice of Hearing issues by the Judiciary Commission on April 15, 2024. Judge Sims responds to each individual Count as follows:

**COUNT ONE**

1. The allegations of paragraph A of Count One are denied. For over a decade, Judge Sims has observed and continues to observe a high standard of conduct in the discharge of her duties as a member of the judiciary. She follows the law and maintains professional competence and appropriate decorum in connection with all judicial proceedings before her.
2. The allegations of paragraph A1 of Count One are admitted. Judge Sims was sworn in on December 2, 2011 and took the bench shortly thereafter.
3. The allegations of paragraph A2 of Count One are admitted to the extent that they are consistent with the court record of May 24, 2022.
4. The allegations of paragraph A3 of Count One are admitted to the limited extent that they may be consistent with the court record. In the event the allegations of paragraph A3 of Count One are inconsistent or could be construed adversely to Judge Sims, they are denied.
5. The allegations of paragraph A4 of Count One are denied. Judge Sims conducts court in the courteous, professionally competent manner expected of a member of the judiciary. Contrary to the allegations in the Notice, Judge Sims was neither rude nor abusive to Ms. Everett. It is not uncommon for Judges, including Judge Sims, to ask parties to have a seat in order to allow the court to review the record, locate documents, or take up another matter. Prosecutors and other attorneys also request individuals to be seated for various matters as court is in session.
6. The allegations of paragraph A5 of Count One are denied. Ms. Everett appeared to roll her eyes at times during the course of the hearing. The allegations of paragraph A5 of Count

One are denied with respect to the contention that Judge Sims was impatient or discourteous in treatment of Ms. Everett.

7. The allegations of paragraph A6 of Count One are denied. Judge Sims continued to question the parties in order to reach a complete understanding of the factual circumstances before rendering a decision.
8. The allegations of paragraph A7 of Count One are denied. The testimony associated with the payment of a pet fee or deposit was against the weight of the evidence. The Petition for Eviction was properly denied consistent with the Code of Civil Procedure Articles governing these matters.
9. The allegations of paragraph A8 of Count One are denied with respect to the mannerisms or decorum of Judge Sims. Ms Everett agreed to accept the tender from the Defendant in open court. Judge Sims did not order her to do so. Ms. Everett acknowledged that she would accept the rent payment but could not do so in court. It is admitted that a discussion occurred on the record associated with Ms. Everett regarding the separate issue of payment of late fees. Judge Sims directed the parties to resolve the issue relative to payment outside of court after Ms. Everett walked away while Judge Sims was still attempting to discuss the matter.
10. The allegations of paragraph B of Count One are denied.

### **COUNT TWO**

11. The allegations of paragraph A of Count Two are denied. For over a decade, Judge Sims has observed and continues to observe a high standard of conduct in the discharge of her duties as a member of the judiciary. She follows the law and maintains professional competence and appropriate decorum in connection with all judicial proceedings before her.
12. The allegations of paragraph A1 of Count Two are admitted. Judge Sims was sworn in on December 2, 2011 and took the bench shortly thereafter.
13. The allegations of paragraph A2 of Count Two are admitted to the extent that they are consistent with the court record.
14. The allegations of paragraph A3 of Count Two are admitted only with respect that to the transcribed exchange between the court and Ms. Cesares. The references or parenthetical commentary interpreting the judge's professional mannerisms or decorum are denied.

There was no “random” pause associated with the exchange. The party was attempting to locate documents, and Judge Sims allowed her to do so.

15. The allegations of paragraph A4 of Count Two are denied. Judge Sims noticed that the party was confused as to what information needed to be provided to the court in order to prove her case. Judge Sims cannot practice law on behalf of a party, and she therefore allowed the party to listen to others who were more familiar with the process in order to gain an understanding of what needed to be presented.
16. The allegations of paragraph A5 of Count Two are denied.
17. The allegations of paragraph A6 of Count Two are denied.
18. The allegations of paragraph A7 of Count Two are denied.

### **COUNT THREE**

19. The allegations of paragraph A of Count Three is denied. For over a decade, Judge Sims has observed and continues to observe a high standard of conduct in the discharge of her duties as a member of the judiciary. She follows the law and maintains professional competence and appropriate decorum in connection with all judicial proceedings before her.
20. The allegations of paragraph A1 of Count Three are admitted. Judge Sims was sworn in on December 2, 2011 and took the bench shortly thereafter.
21. The allegations of paragraph A2 of Count Three are denied for lack of sufficient information to justify a belief therein relative to the purpose of the purchase of a vehicle.
22. The allegations of paragraph A3 of Count Three are admitted to the extent that Judge Sims was permitted to use the vehicle. Her use of the vehicle was exclusively in connection with the discharge of her judicial duties and ability to travel to and from court during a period while her vehicle was being repaired.
23. The allegations of paragraph A4 of Count Three are denied. The vehicle remained in the parking lot of the court during the day and was available for use by court personnel as needed.
24. The allegations of paragraph A5 of Count Three are denied.
25. The allegations of paragraph A6 of Count Three are denied. The use of the vehicle was not for the individual personal benefit of Judge Sims and facilitated her ability to discharge her judiciary duties in the absence of a personal vehicle. The vehicles are usually signed out

by the requestor or the judicial assistant on behalf of the judge. The keys are given to that individual. When Judge Sims got ready to leave on the day she first used the vehicle, she noticed that the tank was empty. She offered to pay for the fuel on several occasions. The Marshal had a deputy put fuel in the car, and Judge Sims asked for information as to the cost. She did not receive a response.

26. The allegations of paragraph A7 of Count Three are denied.

27. The allegations of paragraph A8 of Count Three are denied.

28. The allegations of paragraph B of Count Three are denied.

#### **COUNT FOUR**

29. The allegations of paragraph A of Count Four are denied. For over a decade, Judge Sims has observed and continues to observe a high standard of conduct in the discharge of her duties as a member of the judiciary. She follows the law and maintains professional competence and appropriate decorum in connection with all judicial proceedings before her.

30. The allegations of paragraph A1 of Count Four are admitted. Judge Sims was sworn in on December 2, 2011 and took the bench shortly thereafter.

31. The allegations of paragraph A2 of Count Four are admitted.

32. The allegations of paragraph A3 of Count Four are admitted only to the extent that they are consistent with the referenced lease agreement. In the event the allegations are inconsistent with the lease agreement or could otherwise be construed adversely to Judge Sims, they are denied.

33. The allegations of paragraph A4 of Count Four are admitted to the limited extent that the hearing was continued to a later date. The evidence at the time of the hearing did not support an eviction. The matter was continued on the motion of the plaintiff and by the agreement of the parties.

34. The allegations of paragraph A5 of Count Four are denied as Judge Sims did not contact Property Standards. Shreveport City Court previously handled property standards cases, but the Court was not handling them any longer at the time of the referenced hearing. Judge Sims did not request the file of photos. When a file was received from Property Standards, all materials, including the photos and any other materials, were provided to both parties

for review and a recess was taken. There was no objection to the photos as they were, in part, duplicative of information the parties previously submitted.

35. The allegations of paragraph A6 of Count Four are admitted to the limited extent that the photographs were available at the time of the hearing, and all parties were afforded the opportunity to review the photos in advance of proceeding. Judge Sims did not rely upon the photos to render any substantive decision in the matter. The allegations of paragraph A6 of Count Four are otherwise denied.

36. The allegations of paragraph A7 of Count Four are denied.

37. The allegations of paragraph B of Count Four are denied.

#### **COUNT FIVE**

38. The allegations of paragraph A of Count Five are denied. For over a decade, Judge Sims has observed and continues to observe a high standard of conduct in the discharge of her duties as a member of the judiciary. She follows the law and maintains professional competence and appropriate decorum in connection with all judicial proceedings before her.

39. The allegations of paragraph A1 of Count Five are admitted. Judge Sims was sworn in on December 2, 2011 and took the bench shortly thereafter.

40. The allegations of paragraph A2 of Count Five are denied. In several of the referenced matters, bonds were set either by Judge Sims or another judge on the Shreveport City Court.

41. The allegations of paragraph A3 of Count Five are admitted to the limited extent that Judge Sims vacated and amended the judgment after she reviewed her notes and became aware of the dates that the defendant served in jail.

42. The allegations of paragraph A4 of Count Five are admitted to the limited extent that the Judge corrected vacated and amended the judgement after she reviewed her notes and became aware of the dates the defendant served in jail. The prosecutor made a statement about the date, but Judge Sims became confused about that issue while signing another pleading. The allegations of paragraph A4 of Count Five are otherwise denied.

43. The allegations of paragraph A5 of Count Five are denied on the basis that any single occasion of error was corrected and fails to rise to the level of any pattern of conduct or willful disregard of the applicable statutory framework.

44. The allegations of paragraph B of Count Five are denied.

## **COUNT SIX**

45. The allegations of paragraph A of Count Six are denied. For over a decade, Judge Sims has observed and continues to observe a high standard of conduct in the discharge of her duties as a member of the judiciary. She follows the law and maintains professional competence and appropriate decorum in connection with all judicial proceedings before her.
46. The allegations of paragraph A1 of Count Six are admitted. Judge Sims was sworn in on December 2, 2011 and took the bench shortly thereafter.
47. The allegations of paragraph A2 of Count Six are denied. Several of the assistants who previously worked for Judge Sims have left the position for higher paying jobs, law school, or to further their education.
48. The allegations of paragraph A3 of Count Six are denied. Judge Sims met with Mr. Whiteside and a staff member to address an issue. The staff member and Mr. Whiteside disagreed on various matters, and Judge Sims was required to leave for another appointment. She asked Mr. Whiteside to reschedule to a later date, but the meeting was not reset.
49. The allegations of paragraph B of Count Six are denied.
50. The allegations of references to previous misconduct or suspensions speak for themselves and are a part of the Judiciary Commission prior records related to Judge Sims and her lengthy period of service on the bench. The Commission has reviewed and dismissed several other complaints in the past as meritless.

## **AFFIRMATIVE DEFENSES**

### **FIRST DEFENSE**

Judge Sims affirmatively states that in connection with her service on the bench, it is her full intention at all times to fully comply with the law and treat litigants, parties, and court staff with respect and the appropriate temperament.

### **SECOND DEFENSE**

Judge Sims further relies on her prior statements to the Judiciary Commission both in writing and through verbal testimony related to her expressed defenses in this matter as well as the nature and substance of complaints made against her.

**THIRD DEFENSE**

Referenced limited occasions associated with an error in a judicial determination or compliance with the Louisiana Code of Criminal or Civil Procedure do not form the basis for the violation of Canons and Code of Judicial Conduct as referenced specifically with regard to any alleged willful misconduct related to the court's official duties.

**FOURTH DEFENSE**

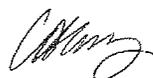
The allegations in each of the Counts made the subject of the Notice of Hearing are based on isolated and limited circumstances that fail to rise to the level of clear and convincing violations of Judicial Canons, the Code of Judicial Conduct, or the Louisiana Constitution.

**FIFTH DEFENSE**

Any claim that the judge committed legal error in connection with her rulings fails to rise to the level of judicial misconduct as any such error was not egregious, made in bad faith, or made as part of a practice or pattern of legal error.

Wherefore, Judge Sheva Sims prays that this Answer be deemed good and sufficient and that after due proceedings are had, the claims of Judicial misconduct against her be dismissed in their entirety, at the cost of the Commission, and for any and all other just and equitable relief.

**Respectfully submitted,  
FRILOT LLC**



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served on all counsel of record, this day 17<sup>th</sup> of June 2024 by the following method:

- E-mail
- U.S. Mail
- Facsimile
- Hand Delivery
- Common Courier (FedEx, UPS)

