

The Cost of the Comment Section: Social Media, Accountability and the Rising Threats to Judges

Chief Judge Derwin L. Webb



The public absolutely has the right to criticize judicial decisions... But there is a constitutional and moral distinction between criticism and threats.

I have served on the bench long enough to understand that criticism is part of the job. Judges make decisions that affect families, children, liberty and property. In family court especially, the outcomes are deeply personal. When a parent loses custody, when a termination of parental rights is ordered, when protection is denied or granted—someone walks out of the courtroom believing justice was not done.

That is not new.

What is new is the velocity, reach and permanence of outrage in the era of social media. Platforms such as Facebook, X (formerly Twitter), Instagram and TikTok have fundamentally changed how judicial decisions are discussed—and too often, how judges themselves are targeted.

Across the country, sitting judges are experiencing an alarming increase in threats, harassment and incitement to violence that can be traced directly to online rhetoric. As Chief Judge of Family Court, I have witnessed firsthand how a ruling can be

clipped into a 30-second video, stripped of legal context and broadcast to thousands within hours. The comment section becomes a tribunal untethered from evidence, procedure or law. The judge becomes the villain in a narrative that rewards outrage and punishes nuance.

Let me be clear: the public absolutely has the right to criticize judicial decisions. The First Amendment protects the freedom to speak, to protest, to question authority and to demand accountability. A healthy democracy depends upon it. Judges are public officials exercising state power. We are not immune from scrutiny, nor should we be.

But there is a constitutional and moral distinction between criticism and threats.

Saying “I disagree with this decision” is protected speech. Publishing a judge’s home address and encouraging people to “pay them a visit” is not. Critiquing legal reasoning is part of democratic discourse. Calling for violence against a judge—or their family—crosses a line that threatens not only

individual safety but the independence of the judiciary itself.

The judiciary was designed to be independent precisely because judges must sometimes make unpopular decisions. Family court judges, in particular, regularly issue rulings that disrupt the status quo: removing children from unsafe homes, limiting parental rights, ordering supervised visitation or terminating rights altogether. These decisions are based on statutory mandates, evidentiary standards and constitutional protections—not popularity contests.

When social media reduces complex hearings to emotionally charged soundbites, it creates a distorted perception of judicial conduct. Judges are bound by ethical rules that prohibit us from commenting publicly on pending or impending cases. We cannot go online and defend ourselves. We cannot reveal confidential facts that explain the reasoning behind a ruling. We cannot

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DIVERSITY & INCLUSION COMMITTEE CORNER

BUILDING A MORE INCLUSIVE BAR

A more diverse and inclusive legal profession doesn't happen by accident — it's built through small, consistent choices made every day. April's observances remind us that our colleagues, clients and communities bring a richness of backgrounds and experiences to the table. The tips below aren't about big gestures. They're about showing up with more awareness, curiosity and intention.

Arab American Heritage Month:

- Learn something new. Explore Arab American heritage through a book, film or local cultural event this month.
- Check your assumptions. Arab American identities are diverse in faith, language and background — lean into curiosity.
- Speak up. When you hear a microaggression in the office or courtroom, saying something matters.

Day of Silence (April 10) is an annual campaign that seeks to shed light on what many LGBTQ+ youth experience daily. Initially intended to focus on this problem within the school system, it has since expanded into workplaces, university campuses and sporting events.

- Acknowledge it. A simple mention in your firm signals that inclusion is taken seriously.
- Be a year-round ally. Check whether your firm's policies and culture genuinely support LGBTQ+ attorneys and staff.

Earth Month:

- Connect the legal dots. Environmental justice is a civil rights issue — consider how your practice area intersects with these realities.

APRIL 2026 AWARENESS CALENDAR

- April 2 - World Autism Awareness and Acceptance Day
- April 10 - National Day of Silence
- April 13 - Vaisakhi
- April 22 - Earth Day
- April 26 - Lesbian Visibility Day
- Arab American Heritage Month
- Celebrate Diversity Month
- National Minority Health Month
- Earth Month



DIVERSITY & INCLUSION COMMITTEE

Have a recommendation?
Join the Committee!
Contact Lisa M. Murray at
lmurray@loubar.org.

“Diversity is being invited to the party.
Inclusion is being asked to dance.”
— Vernā Myers

Notice from Jefferson County District Court

JCPS' spring break 2026 is Monday, April 6 through Friday, April 10. Please see the changes in court schedule below.

1. For the week of April 6 - April 10, the Civil Court Division will hold their regular Eviction Court and Small Claims dockets on Monday, April 6 through Wednesday, April 8, 2026.
2. There will be no Eviction Court dockets on Thursday, April 9 and Friday, April 10, 2026.

– Hon. Jessica A. Moore
Chief Judge, Jefferson District Court

Judge Regina S. Edwards Reappointed to a New Term as U.S. Magistrate Judge



The Judges of the United States District Court for the Western District of Kentucky have reappointed Regina S. Edwards to another eight-year term as a United States Magistrate Judge, effective July 28, 2026. This action follows the unanimous recommendation to the court from a merit selection panel comprised of attorneys and lay persons from within the Western District, following the statutorily required public notice and comment period.

As a United States Magistrate Judge, Judge Edwards conducts initial proceedings in criminal cases, manages pretrial matters in civil and criminal cases, conducts pretrial conferences and settlement conferences, conducts Social Security appeals and prisoner litigation, presides over misdemeanor trials and presides over civil trials with the consent of litigants.

Judge Edwards was first appointed to be a United States Magistrate Judge by the court for an eight-year term that commenced on July 26, 2018. ■

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not debate litigants in the court of public opinion. Our silence is not indifference; it is discipline.

This asymmetry has consequences.

Nationally, reports of threats against judges have increased in recent years. Security briefings that once felt extraordinary are becoming routine. Courthouses are reassessing entry protocols. Judges are altering daily routines. Some are removing personal information from public databases. Others have had to explain to their children why strangers online are calling their parent corrupt, evil or worse.

In fact, this issue is not theoretical for those of us serving in Jefferson County. Judges in our own courthouse have received direct threats of violence. Those threats have included threats of assault, sexual assault, disfigurement and death—not only toward the judges themselves, but toward members of our families. These are not angry words typed in frustration alone; they are specific statements that require law enforcement attention and security precautions. When a judge must consider the safety of a spouse or a child because of a judicial ruling, the problem has moved beyond criticism and into intimidation.

This climate does not serve justice.

At the same time, it is essential to acknowledge that judges are not unaccountable. The American judicial system contains multiple layers of oversight. Every trial court judge is subject to review by an appellate court. In Kentucky and across the nation, decisions can be appealed to an intermediate appellate court and ultimately to the state's highest court. Those courts have the authority to reverse, remand or modify decisions that are legally erroneous.

Beyond appellate review, judges are also subject to disciplinary mechanisms. Each state maintains a Judicial Conduct Commission empowered to investigate complaints of misconduct. There is also a Judicial Ethics Commission that issues advisory opinions and enforces ethical standards. Judges can be reprimanded, suspended or even removed from office for violations of ethical rules. In some jurisdictions, judges must stand for periodic election or retention votes, providing an additional layer of democratic accountability.

In short, the judiciary is not self-policing in a vacuum. It operates within a constitutional framework of checks and balances.

The danger of social media-driven hostility is that it substitutes viral outrage for structured accountability. It encourages

trial by algorithm rather than review by law. It invites individuals—often strangers to the case—to form conclusions based on incomplete information. And when rhetoric escalates into dehumanization, it can inspire individuals already inclined toward instability or violence.

Judicial independence is not a privilege for judges; it is a protection for the public. If judges begin to fear that every difficult decision will trigger a coordinated online attack, or worse, a physical threat, the integrity of the system is at risk. A judge who rules based on fear of retaliation is not independent. A judge who rules based on law—even in the face of criticism—is fulfilling the oath of office.

We must find a balance.

Citizens must continue to engage, to question and to advocate for reform where reform is needed. Courts should strive for transparency where ethically permissible. Judicial opinions should be clear and accessible. Public education about how courts function is essential. Many misunderstandings arise from a lack of knowledge about burdens of proof, evidentiary rules or statutory mandates that constrain judicial discretion.

At the same time, we must shine a bright light at threats and intimidation. Law enforcement must take credible threats seriously. Social media platforms should enforce policies against doxxing and incitement. Civic leaders—regardless of political affiliation—should model responsible rhetoric when discussing court decisions.

As Chief Judge of Family Court, I do not ask to be shielded from criticism. I ask only that criticism remain within the bounds of law and civility. Judges are human beings who take an oath to uphold the Constitution. We work long hours reviewing evidence, studying precedent and weighing decisions that affect the most vulnerable members of our communities: children caught in the crossfire of adult conflict.

The strength of our republic depends upon three coequal branches of government that can operate without fear. When social media becomes a vehicle for threats rather than discourse, it undermines that balance.

Freedom of speech is a cornerstone of our democracy. So is the rule of law. We must protect both.

Chief Judge Derwin Webb presides in Division 10 of Jefferson Family Court. ■



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