

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-283

Judge: Gerald A. Williams

Complainant: Ryan Cvancara

ORDER

The Complainant alleged that a Facebook post by a justice of the peace was improper and violated the Code of Judicial Conduct.

Maricopa County Justice of the Peace Gerald A. Williams created a post on his Facebook page in which he displayed a photograph of a pleading filed by a litigant. The Facebook account identifies him as “Judge Gerald A. Williams.” The litigant requested an extension of time to complete defensive driving school, claiming his puppy ate his paperwork. Judge Williams crudely attempted to redact the pleading by placing torn post-it notes over the litigant’s name, however, he failed to redact the case number, and the text underneath the post-it notes was partially visible in the photograph. Judge Williams posted the photograph without a comment, description, or caption, however, several of Judge Williams’s followers commented on the posting.

While none of the comments posted by other individuals were tremendously disparaging or negative, the intention was clearly to mock the litigant’s request. The post itself has the appearance of impropriety and causes the public to lose confidence in the judiciary. After receiving notice of the complaint, Judge Williams deleted the post, and in his response to the Commission, he claimed that he was only trying to share an amusing anecdote, and he apologized if he unintentionally insulted the litigant.

The Commission found that Judge Williams’s conduct as described above violated Rule 1.2 of the Code (Promoting Confidence in the Judiciary) which states, “A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”

Accordingly, Justice of the Peace Gerald A. Williams is hereby publicly reprimanded for the conduct described above and pursuant to Commission Rule 17(a). The record in this case, consisting of the complaint, the judicial officer’s response, and this order shall be made public as required by Commission Rule 9(a).

Commission members Denise K. Aguilar, Roger D. Barton, Barbara Brown and Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: March 21, 2022

FOR THE COMMISSION

/s/ Christopher P. Staring
Hon. Christopher P. Staring
Commission Vice-chair

Copies of this order were distributed to all appropriate persons on March 21, 2022.

Comp
21-283
Sept. 1 2021

Ryan Cvancara
September 1, 2021

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

Dear Commissioners:

I currently have an unresolved complaint against Justice of the Peace Gerald Williams (21-090). I do not know whether Judge Williams is aware of this complaint, but if he is, I believe a recent internet posting of his shows a reckless disregard for how his actions will be perceived by your commission. In any event, the posting calls into question Judge Williams' judicial temperament.

On August 31, 2021, on his *Judge Gerald A. Williams* Facebook page (<https://www.facebook.com/Judge-Gerald-A-Williams-289261709393>), Judge Williams posted a picture of a Form CT 8150-514 *Civil Traffic Motion* filed by a defendant before his court (Attachment A). The defendant is unsophisticated in expressing himself and Judge Williams is clearly holding him up to ridicule. Although Judge Williams has obscured the defendant's name and signature, the case number is visible so that the defendant is easily identified with a search on the justice court's website.

Judge Williams has twice been reprimanded by your commission for an unprofessional demeanor when interacting with litigants in his courtroom. This current instance is arguably much worse, as Judge Williams has moved beyond making spontaneous statements to deliberately posting partially-redacted pleadings for all the internet to see.

Attachment A

August 31, 2021 Post on *Judge Gerald A. Williams* Facebook Page with User Comments



Judge Gerald A. Williams

8h · 🌐



Maricopa County Justice Courts, Arizona
 North Valley Justice Court 14264 W. Tierra Buena Ln., Surprise, AZ 85374 602-372-2000

STATE OF ARIZONA CASE NUMBER: [REDACTED]

MOTION TO (Civil Traffic) REQUEST (for Law Enforcement only)
 Continue Other

I would like the court to grant this motion/request because: *I got A puppy, who Eat up my paper I needed for the DRIVING school I know its Bad excuse, But TRUE. Please heed one more chance to do this, I would greatly appreciate it. Thank you I'm Requesting an Extention*

Date: 8-25-21 Defendant's Attorney Defendant Officer/Deputy

ORDER
 IT IS ORDERED: Granting said motion/request Denying said motion/request
 Date: _____ Time: _____

Be in court at least 15 minutes before the scheduled hearing.
 YOU MUST CHECK IN AT THE FRONT COUNTER BEFORE ENTERING THE COURT ROOM.
 (CEREBE REGISTRARSE EN EL MOSTRADOR DELANTERO ANTES DE ENTRAR EN LA SALA DEL TRIBUNAL.)

REQUESTS FOR REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES SHOULD BE MADE TO THE COURT AS SOON AS POSSIBLE.
 (LAS SOLICITUDES PARA ARREGLOS O ADAPTACIONES RAZONABLES PARA PERSONAS CON DISCAPACIDADES SE DEBEN PRESENTAR ANTE EL TRIBUNAL LO MAS ANTES POSIBLE.)

If an interpreter is needed, please contact the court listed above to request an interpreter be provided.
 (En caso de necesitarse un intérprete, favor de comunicarse con el Tribunal antes mencionado para solicitar que se brinden los servicios de un intérprete.)

IT IS FURTHER ORDERED: _____

 Date: _____
 Justice of the Peace



78°F Rain to stop



7:12 PM 8/31/2021





Eric Hurley
Give the poor guy the extension. ...

Like · Reply · 6h



Arnold Kohl
I have a five month old puppy and she will chew up anything, including papers I have laying around. Thankfully she hasn't gotten to anything important.

Like · Reply · 6h



Miles Keegan
The court requires a photo of the puppy to verify the story.

Like · Reply · 7h



1



John Newlin
Out of curiosity, what was the judge's decision?

Like · Reply · 7h



Victor J. Clyde
I thought driving schools are all on-line now and paperless. Commenting on behalf of my puppy.

Like · Reply · 8h



1



Elizabeth Suckow
Age old excuse, worth a try.

Like · Reply · 8h



Carol Richards Volpatti
Hey I'd accept that! 😊

Like · Reply · 8h



Justin Wilmeth





Victor J. Clyde
I thought driving schools are all on-line now and paperless. Commenting on behalf of my puppy.



Like · Reply · 8h



1



Elizabeth Suckow
Age old excuse, worth a try.

Like · Reply · 8h



Carol Richards Volpatti
Hey I'd accept that! 😊

Like · Reply · 8h



Justin Wilmeth
That excuse is a timeless classic 😂

Like · Reply · 8h



Paula Songer
Puppy ate my homework...that's a new one.



Like · Reply · 9h

Write a comment



79°F Rain coming



7:18 PM
8/31/2021





Gerald A. Williams
Justice of the Peace

MARICOPA COUNTY JUSTICE COURTS

North Valley Justice Court
14264 West Tierra Buena Lane
Surprise, AZ 85374

Resp (Williams)
2021-283
DEC 27 2021

23 December 2021

CONFIDENTIAL

Michael G. Devereaux, Staff Attorney
Arizona Commission on Judicial Conduct
1501 West Washington Street, Suite 229
Phoenix, AZ 85007

Re: Response to Complaint Case No. 21-283

Dear Commission Members:

I have two Facebook pages and admit that I posted the picture that is the subject of this complaint. The Complainant has the same last name as my political opponent, who also recently filed a judicial complaint against me. The Complainant is not the Defendant who is the subject of the underlying case. There is no evidence that the Defendant was aware of the Facebook post or was harmed in any way. According to the Complainant, the person who was actually involved in the case was either hurt or offended. For this, I am genuinely sorry.

On June 18, 2021, the Defendant received a civil traffic ticket with a single allegation of going 92 mph in a 65 mph zone. He requested and received an extension to attend Defensive Driving School. On August 25, 2021, he requested a second extension by written motion, which I granted. For reasons that are not clear, he did not attend or complete Defensive Driving School on-line and entered a plea of responsible on September 21, 2021 at our front counter. He paid a fine totaling \$256.25 and the case was closed on that date. My only interaction with the case was to grant his delay request.

The stated basis for the August 25, 2021 delay request was that the Defendant's new puppy ate his court paperwork. I found this to be both truthful and humorous. It is similar to an amusing anecdote in a Reader's Digest publication. I redacted the document and shared it in part to show that judges on occasion deal with the simple day-to-day problems of genuine people. As I did so, I inadvertently did not also redact the case number.

I was able to locate the post and I deleted it on the day I received this complaint. A total of 18 people clicked that they either liked the pleading or found the pleading to be funny. Two of those people are justice court judges. Another is a Superior Court judge. Also from that group of 18, nine left comments, none of which attack the Defendant.

The Complainant alleges that I posted a redacted copy Defendant's pleading to ridicule a defendant who is "unsophisticated in expressing himself." No part of that allegation is accurate. The brief handwritten motion is, in reality, a model of clear and concise communication. It quickly states a factual basis for the relief requested. In addition, if I wanted either to attack or to make some type of example out of the Defendant (both of which would be wildly improper), I would have posted some type of criticism.

In our current environment, everyone could use additional opportunities for laughter. However, humor is not funny if someone gets hurt. In my attempt to share, in an anonymous context, what others and I believed to be a genuinely humorous story, I unintentionally insulted someone who was merely requesting additional time to complete an authorized diversion program. I am sorry. I obviously will not be posting any pleading or anything similar on social media again.

I am familiar with the reprimand in CJC Case 18-119 regarding a disparaging Facebook post, and I respectfully suggest that this situation is very different. I made no comment regarding the Defendant and, as the Defendant ended up pleading responsible at our front counter, I never had any direct contact with him. This case can further be differentiated from CJC Case 18-119 because the comments that accompanied the post establish that people found the situation the Defendant was *in* to be humorous, not *the* Defendant. They were laughing *with* the Defendant, not *at* him. I was merely attempting to share a cute story about a puppy.

If you have any questions or need any additional information, please feel free to contact me. Thank you.

Sincerely,

✓
GERALD A. WILLIAMS
Justice of the Peace