State of Arizona

COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-315

Complainant: Peter Cahill

Judge: Gary Goetteman

ORDER

Members of a justice of the peace's court staff made various complaints resulting in an investigation by the county. The complaints raised allegations of gender bias, improper workplace behavior and temperament, and inappropriate comments made during staff meetings.

After reviewing the allegations, the county investigation and attachments, and the judge's response, the commission finds that the justice of the peace in this case violated the Code of Judicial Conduct. Rule 1.2 of the Code requires judges to "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary." Rule 2.3 prohibits a judge from using words or engaging in conduct that manifests bias or prejudice on the basis of, among other characteristics, gender. Rule 2.8(B) requires a judge to be "patient, dignified, and courteous" to his court staff.

The judge made the following comment during a staff meeting: "Some of the most profane, manipulative and backstabbing people I've worked with have been women. Men tend to get physical and just hit you." Whatever Judge Goetteman's subjective intent in making this statement, it objectively manifested gender bias in violation of Rule 2.3. Further, the judge's conduct in making this comment and in slamming his hand against the table in anger during another staff meeting similarly violated Rule 2.8(B).

Accordingly, Judge Gary Goetteman is hereby reprimanded for his conduct as described above and pursuant to Commission Rule 17(a). The record in this case, consisting of the complaint, the judge's response, and this order shall be made public as required by Rule 9(a). The Commission also directs the judge to fully cooperate with the Administrative Office of the Courts in seeking to improve workplace conditions in his court.

Dated: February 27, 2013.

FOR THE COMMISSION

Louis Frank Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed
to the complainant and the judges
on February 27, 2013.

This order may not be used as a basis for disqualification of a judge.