

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-263

Complainant: John Catapano
Judge: Robert Gottsfield

ORDER

The complainant alleged that a superior court judge tried to bully a psychologist on behalf of a family member involved in a custody dispute in another state.

After reviewing the complaint and the judge's response as well as speaking with the psychologist, the Commission finds that Judge Gottsfield violated the Code of Judicial Conduct. Specifically, the judge sent an email and initiated a telephone conversation with the psychologist, both of which were intended to influence the outcome of his family member's custody dispute. In the course of both communications, Judge Gottsfield repeatedly referenced his judicial experience, giving at least the appearance of abusing the prestige of his judicial office, which is a violation of Rules 1.2 and 1.3 of the Code.

Accordingly, Judge Robert Gottsfield is hereby reprimanded for his conduct as described above and pursuant to Commission Rule 17(a). The record of this case, consisting of the complaints, the judge's response, and this order, shall be made public as required by Rule 9(a).

Dated: December 4, 2012.

FOR THE COMMISSION

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judges on December 4, 2012.

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

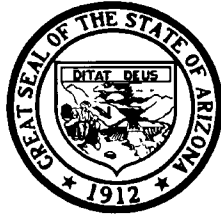
2012-263

COMPLAINT AGAINST A JUDGE

Your name: John Catapano Judge's name: Robert L. Gottsfield Date: 8/20/2012

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

My name is John Catapano I filed for Divorce in May 2009. I was married to Susan Catapano. We have two children John who is 25. ToniAnn who was 14 at the time, is now 17. ToniAnn wanted to live with me. My wife decided to fight for custody. Wifed. I believe was a waste of money. We ended up having to see a forensic psychologist. Dr. Raymond J. Havlicek. After many meetings with the Dr. Havlicek. The Dr. informed me that Honorable Robert L. Gottsfield (602) 506-3132 101 W Jefferson St # 914 Phoenix, AZ 85003. Had called Dr. Havlicek and tried to bully him into making a decision on Susans behalf. He said he would not be Bullied. His decision was I have sole custody of ToniAnn since Judge Gottsfield. got involved in the custody fight I have believe he didn't step there. I think hes involve ment had a damaging affect to the outcome of my divorce. I would like disciplinary action to be taken. PS Susan is the Judges niece.



OCT 22 2012

From the Chambers of
Robert L. Gottsfeld

SUPERIOR COURT OF ARIZONA

IN MARICOPA COUNTY
201 W. Jefferson, Suite 8C/CCB
Phoenix AZ 85003-2244

Phone 602.506.3132

FAX: 602.506.0944

October 19, 2012

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

RE: John Catapano Complaint to Arizona Commission on Judicial Conduct

Dear Members of the Commission:

My niece Susan and her husband John were going through a divorce proceeding in New York now concluded. I wrote a letter to an individual I believe who was doing a custody evaluation for the court, on behalf of my niece. Unfortunately, I no longer have a copy of this letter but Susan is sending it to me. The letter will speak for itself.

I would also appreciate the Commission calling Dr. Havlicek, who is named by John, to get his view of what occurred. I can assure the Committee I never had any personal contact with the individual I wrote to, to the best of my memory. It is just something I would not do, unless he called me. Perhaps John can give you a phone number for Dr. Havlicek. I will ask Susan to provide it if she can.

When I wrote the letter I was advised by Susan that her daughter Toni Ann wanted no contact with her, which unfortunately is apparently still the case.

I will forward the letter to the Commission when I receive it and hopefully a phone number for Dr. Havlicek which may very well be online.

Sincerely,

Robert L. Gottsfeld
Maricopa County Superior Court