

**FILED**

**SEP 07 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>FINAL ORDER</b>
Respondent	)	

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On September 7, 2022, Disciplinary Counsel and Respondent Adam W. Watters filed a Stipulated Resolution in the above-entitled proceeding in which Respondent agreed not to seek any type of judicial office or appointment in the future and the Commission agreed to close the above-referenced cases which comprise the formal proceeding.

The Hearing Panel assigned to these matters considered the proposed resolution and voted to approve the agreement.

IT IS HEREBY ORDERED that the Stipulated Resolution is accepted as the final resolution of the aforementioned cases. This formal disciplinary proceeding is hereby concluded, subject to Respondent's compliance with the terms and conditions of the Stipulated Resolution.

Dated this 7th day of September, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown  
 Hon. Michael J. Brown  
 Presiding Hearing Panel Member

Copies of this document were electronically served, via email, this 7th day of September, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT

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	)	Case Nos.	21-043
<b>Judge Adam W. Watters</b>	)		21-048
	)		21-155
Pima County Consolidated Justice Court	)		21-248
State of Arizona	)		
	)	<b>STIPULATED RESOLUTION</b>	
Respondent	)		

ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

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Respondent Judge Adam W. Watters and Ariel I Worth, Disciplinary Counsel for the Commission on Judicial Conduct (“Commission”) hereby submit the following proposed resolution of these cases to the hearing panel pursuant to Rule 30 of the Commission Rules. This stipulation is entered into consistently with Rule 5 of the Commission Rules which provides that the purpose to the judicial discipline system is to protect the public and maintain high standards of the judiciary and the administration of justice.

JURISDICTION

1. The Commission has jurisdiction over these matters pursuant to Article 6.1 of the Arizona Constitution.
2. Respondent is currently serving as a full-time justice of the peace in Pima County and his term of service as a justice of the peace will conclude effective December 31, 2022. Respondent is not seeking an additional term of office.

3. As a justice of the peace when the alleged misconduct occurred and when the Commission's Statement of Charges was filed, Respondent was and is subject to the Code of Judicial Conduct ("Code") as set forth at Arizona Supreme Court Rule 81.

#### BACKGROUND

4. On January 7, 2022, Disciplinary Counsel filed a formal Statement of Charges against Respondent after a duly appointed investigative panel found reasonable cause to commence formal proceedings. Respondent filed his Response to Statement of Charges on February 4, 2022, and his Supplemental Response to Statement of Charges on March 3, 2022.

5. The allegations of misconduct set forth in the Statement of Charges did not occur while Respondent was performing judicial functions.

#### MUTUAL CONSIDERATION

6. Other than what he has already stated in his Response to the Statement of Charges, and Supplemental Response to the Statement of Charges, Respondent makes no admissions to the factual allegations contained in the Statement of Charges nor any admissions that those facts violated the cited rules of the Code.

7. The parties agree that resolving this matter by stipulation is in their mutual best interest and in the best interest of the public and the judicial system.



## AGREED UPON DISPOSITION

8. Respondent agrees not to seek or accept a judicial appointment of any type, not to run for an elective judicial office, or serve in any judicial capacity<sup>1</sup> in the State of Arizona at any time on or after he signs this agreement.

9. The parties agree that Respondent may serve the remainder of his current term as justice of the peace which will conclude effective December 31, 2022. This is the only judicial function permitted to Respondent under this agreement.

10. The Commission shall make no findings of fact or conclusions of law regarding the allegations set forth in the Statement of Charges. Upon execution of this agreement, the Commission shall close Case Nos. 21-043, 21-048, 21-155 and 21-248. These charges shall not be re-filed unless this agreement is breached by Respondent as further outlined in paragraph 13.

11. Disciplinary Counsel acknowledges Respondent's cooperation with the Commission in the negotiation of this stipulated resolution.

## OTHER TERMS AND CONDITIONS

12. This agreement, if accepted by the hearing panel, fully resolves all issues raised in the Commission's Statement of Charges. This agreement may be used as evidence in later proceedings in accordance with the Commission's Rules. If the hearing panel does not accept this agreement as a full resolution of the foregoing

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<sup>1</sup> The parties agree that not serving in any judicial capacity encompasses the definition of "Judge" in the Code of Judicial Conduct, which states: "Judge" means any person who is authorized to perform judicial functions within the Arizona judiciary, including a justice or judge of a court of record, a justice of the peace, magistrate, court commissioner, special master, hearing officer, referee or pro tempore judge.

matters, the parties can either re-negotiate the terms and conditions to address the concerns raised by the hearing panel, or if further negotiations are not successful, the matters will be set for hearing without any use of this agreement.

13. In the event Respondent fails to comply with the terms and conditions of this agreement by seeking appointment or election to a judicial office or serving as a judge in Arizona, the Commission may reinstate the Statement of Charges by giving Respondent written notice of its intention to do so, and the matters will proceed to hearing pursuant to the Commission's Rules. Respondent waives any and all claims concerning delay or other irregularities in the Commission so doing.

14. In the event Respondent fails to comply with the terms and conditions of this agreement by seeking appointment or election to a judicial office or serving as a judge in Arizona, the Commission may also seek injunctive relief enjoining Respondent from engaging in conduct in breach of the terms and conditions of this agreement.

15. Both parties waive their right to seek review of the hearing panel's decision concerning the approval of this agreement, including the appeal procedures set out in Commission Rule 29.

16. Both parties agree that the Stipulated Resolution and Final Order shall be public documents upon acceptance of the Stipulated Resolution and the approval of the Final Order by the hearing panel.

17. Both parties will pay their own costs and attorney's fees, if any, associated with this matter.

18. Respondent understands the terms and conditions of this agreement and fully agrees to and will abide by them.

19. This agreement constitutes the complete understanding between the parties.

Agreed to this 7<sup>th</sup> day of September, 2022.

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Hen. Adam W. Watters, Respondent

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Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct

Original of the foregoing filed with the Clerk of the Commission on Judicial Conduct on this 7<sup>th</sup> of September, 2022

By: /s/ Kim Welch  

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Kim Welch, Commission Clerk

**FILED**

**SEP 02 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>ORDER RE REQUESTS</b>
Respondent	)	<b>TO BROADCAST</b>

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The Commission has received two requests to broadcast pursuant to Rules 122 and 122.1, Arizona Rules of the Supreme Court: (1) a request from Alberto Rodriguez, the Communications Director for the Administrative Office of the Courts seeking to livestream the formal hearing on September 7, 2022 (“livestream request”); and (2) a request from ABC15 Arizona seeking to video the formal hearing on September 7, 2022, for later broadcast (“ABC15 broadcast”).

Disciplinary counsel filed a position statement on both requests, opposing them on several grounds. Concerning the livestream request, disciplinary counsel asserts in part that because it is not clear who initiated the request, it also unclear “whether there is a genuine public interest in these proceedings or a prurient interest.” The request also “appears to be a personal request” because it is not from a media entity; thus, disciplinary counsel asserts that neither the parties nor the Commission would “be well-served by making the specifics of the hearing available for the sake of gossip or other curiosity.”

Concerning the ABC15 request, disciplinary counsel recognizes the media interest in the formal hearing but asserts that the request “does not advance the purposes of judicial discipline,” which include protecting the public and maintaining high standards for the judiciary. Noting that the formal hearing is public and open to all observers who wish to attend, including the media, disciplinary counsel suggests that ABC15 (which is not the local news station for respondent) can accomplish such reporting through attendance at the hearing.

Addressing both requests, disciplinary counsel raises concerns about the current “media and political climate” where video depictions of a judge or hearing panel members could subject those individuals to “harassment or other abusive treatment.” And because respondent has indicated that his medical situation may be discussed for mitigation purposes, having such details broadly published through broadcasting “is an additional and unnecessary burden” on his ability to present evidence.

After review of disciplinary counsel’s objection, the Commission conducted a review hearing with the parties under Rule 122(c)(3) on September 1, 2022, as part of the prehearing conference. Respondent verbally indicated that he concurred with disciplinary counsel’s opposition to both requests, and disciplinary counsel offered additional comments about the requests to broadcast.

After consideration, the Commission finds there is a likelihood of harm arising from sections Rule 122(A), (B), (C), (D), (G), and (H) if the formal hearing is broadcasted in real time. Accordingly,

**IT IS ORDERED** that the Request from Alberto Rodriguez, the Communications Director for the Administrative Office of the Courts, to conduct a livestream broadcast is denied.

The ABC15 request merits different treatment. Commission Rule 27(f)(2) states that Rule 122 applies to “all requests for electronic and photographic coverage” of Commission proceedings. Rule 122(d) provides that “a properly submitted request for coverage should generally be approved.” And as acknowledged by the respondent at the review hearing, a recorded broadcast is less intrusive than a livestream broadcast. As such, the Commission finds that a video of the proceedings for later broadcast does not present a likelihood of harm, and it is less likely (than a livestream broadcast) to impose an undue burden on respondent or other witnesses. Accordingly,

**IT IS FURTHER ORDERED** that the request to video for a later broadcast submitted by ABC15 is granted, subject to strict compliance with Rule 122 and the additional conditions set forth below.

1. Only one camera, a video camera, shall be allowed in the courtroom. If Mr. Rodriguez, on behalf of the Administrative Office of the Courts, also desires to record the formal hearing for later broadcast, in lieu of livestreaming, then he must coordinate with ABC15 to facilitate pooling.
2. The location of the camera shall be fixed, in a location approved by Commission staff such that it will not disrupt the proceedings. No special lighting shall be used in the courtroom.

3. No video shall be taken of any materials on counsel's table or the panel's table.
4. No additional microphones shall be allowed in the courtroom with the exception of the microphone attached to the one pooled video camera.
5. Camera personnel shall dress appropriately for a court setting.
6. The pooled camera and its operator should be ready to proceed in a timely manner and will be allowed to access the courtroom at 8:30 a.m.
7. At the request of a witness, the Commission *may* order that the video recording must effectively obscure the face and/or identity of the witness, or that there be only audio coverage of his or her testimony.

Dated this 2<sup>nd</sup> day of September, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown

Hon. Michael J. Brown

Presiding Hearing Panel Member

///

Copies of this document were electronically served, via email, this 2<sup>nd</sup> day of September, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

Shawn Martin, Executive Producer  
ABC15 Arizona  
*smartin@abc15.com*  
*lauren.wilson@abc15.com*

Alberto Rodriguez, Communications Officer  
Arizona Supreme Court Administrative Office of the Courts  
*arodriguez@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk



STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT

ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>ORDER RE PREHEARING</b>
Respondent	)	<b>CONFERENCE</b>

At the telephonic prehearing conference held on Thursday, September 1, 2022, various matters were discussed in preparation for the formal hearing, to be held on September 7, 2022. One of the matters discussed was respondent’s failure to comply with the Case Management Order. As a result, the Commission made decisions that may affect the presentation of evidence at the formal hearing. The purpose of this order is to memorialize and clarify several of those decisions. Accordingly,

It is ordered that respondent failed to show good cause for failing to comply with the deadlines set forth in the Case Management Order; therefore, respondent has waived any objections to the admissibility of the exhibits listed in disciplinary counsel’s prehearing memoranda (filed on August 26, 2022).

It is further ordered that, in its discretion, the Commission will not strike respondent’s prehearing statement and exhibits, which were filed late in the afternoon on September 1, 2022. However, the Commission acknowledges that because those documents were not filed by the deadlines established by the Case Management Order, and the documents were not available for disciplinary counsel to

review until after the prehearing conference, disciplinary counsel voiced her objection generally because she had obviously not seen the documents. Disciplinary counsel also objected to the exhibits on relevance grounds. To the extent these or other objections concerning respondent's late filings are raised before or during the formal hearing, the Commission will rule on such objections as they arise, and as expeditiously as possible, to avoid unnecessary delay in the presentation of evidence.

It is further ordered denying respondent's request that one or more of his witnesses be allowed to testify telephonically.

Dated this 2<sup>nd</sup> day of September, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown

Hon. Michael J. Brown

Presiding Hearing Panel Member

Copies of this document were electronically served, via email, this 2<sup>nd</sup> day of September, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

1 Adam Watters, Esq.

2  
3 State Bar No.: 018184  
4 P.C.C. No.:65181  
5 Respondent

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct ,	)	
8	)	Judge Michael Brown, Presiding
9 Complainant,	)	
	)	Cases No.: 21-043, 21-048, 21-248, 21-155
10 vs.	)	
	)	<b><u>RESPONDENT'S Pre-HEARING</u></b>
11 Adam Watters,	)	<b><u>MEMORANDA</u></b>
	)	
12 Respondent.	)	
	)	
13	)	
14	)	

15 Respondent hereby submits a pre-hearing statement.

16  
17 **Statement of the Case:**

18 Mr. Fei Qin stalked Judge Watters and his family for two weeks from February 2, 2021  
19 until February 14, 2021, committing sundry acts of violence, trespass, destruction and terror. On  
20 December 15, 2021, a Pima County jury convicted Qin of Felony Stalking the Watters, a Class 5.

21 Prior to stalking the Watters, Qin's only links with the Watters family were his two  
22 appearances before Judge Watters: The first on January 16, 2021 as the landlord in an eviction  
23 action; the second on February 1, 2021 as a defendant accused of domestic violence against his  
24 parents. The Watters family, until Qin was arrested at their home, did not know if Judge Watters,  
25

1 their daughter, a county felony prosecutor, or Mrs. Watters, the niece of Supreme Court Justice  
2 Sandra Day O'Connor, were the targets of the stalking behavior.

3 On January 6, 2021 the Superior Court judge presiding over the trial sentenced Mr. Qin to  
4 the presumptive 18 months of prison allowed under the conviction of a Class 5 felony. At  
5 sentencing the judge deemed Mr. Qin to not be a candidate for probation due in part to the nature  
6 of the crime, and in large part due to Qin's obvious disregard for courtroom protocol and the  
7 judiciary, including his refusal to stand for the judge and jury throughout the trial, his general  
8 demeanor and his playing of video games on his phone during the trial.

9 Qin is a disbarred attorney, who lost his license to practice when suspended by the Supreme  
10 Court of Colorado after being convicted for domestic violence. Qin assaulted his wife and child –  
11 chunks of her hair was found on the wall – and used a knife in committing his crime.

12 Missing from the Statement of Charges is the fact that on the day Qin was arrested at the  
13 Watters family home, he was armed with a large knife. The knife, through forensic testing, was  
14 proven at trial to be the same 12-inch blade used to slash the tires at the Watters' home. It is  
15 believed he used a rifle scope, also found in his vehicle, to spy out the Watters family and home.

16 Also omitted from the facts listed by Commission counsel is that on Friday, February 12,  
17 2021, Qin was watched by a neighbor walking on the Watters' property. Judge Watters was on  
18 the phone with his wife that day when she said, "My God, my God, he's walking up the driveway."  
19 As Judge Watters testified at trial, his wife's phone went silent. She was calling 911, but he did  
20 not know what was happening at his home. Fearing the worst, he rushed home, after calling 911  
21 himself, to discover deputies present, but that Qin was gone. Qin was at the Watters' home for  
22 about 20 minutes that day, scouting out the premises, walking onto and around the property.

23 On February 12 and 13<sup>th</sup>, 2021, a neighbor took photos of Qin's vehicle, the license plate  
24 of the vehicle and partial, although not clear, photos of Qin driving the vehicle at the judge's home.  
25

1 On both those days, Qin was observed dumping trash on the property. As stated above, Qin spent  
2 time lurking on the property on Feb. 12. Those photos were provided to police.

3 In addition to twice slashing all four tires on the judge's truck, Qin daily threw trash on the  
4 Watters' property. The trash-throwing was a regular occurrence, in that it happened every day  
5 between noon and 1:30 p.m. On February 12, the trash included mail addressed to the tenant Qin  
6 attempted to evict in Watters' court on January 16 (see above). Qin's fingerprints and credit cards  
7 receipts were also found on or with the trash. It was later discovered that Qin terrorized the tenant  
8 who appeared in Watters' court, and that after that failed eviction, all four of her tires were slashed  
9 as well.

10 Judge Watters was injured on February 14, 2021 when Qin violently and intentionally  
11 opened his car door striking the judge as Watters attempted to photograph the stalker.  
12 Photographic evidence shows the judge's injuries. In addition to throwing trash onto the Watters'  
13 property and assaulting Judge Watters on February 14, 2021, Qin was trespassing on private  
14 property. The road on which the Watters' home is located is private and well-marked with no-  
15 trespassing signs. Qin had to deviate a quarter-mile off the main highway to reach the Watters  
16 home.

17 It is a false statement that Judge Watters attempted to hinder or halt or confront Qin on  
18 February 14, 2021. The evidence at trial showed this to be false as does the video. Judge Watters  
19 remained on the side of the road, not the center and as the video shows, at no time did he ask or  
20 demand that Qin halt. At no time did Judge Watters "block the suspect's vehicle's path. When  
21 Qin appeared on February 14, he was observed throwing trash onto the property. Judge Watters  
22 instructed his daughters, who watched as Qin dumped trash, to call 911, which they instantly did.

23 Omitted from the Statement of Charges is that Qin exited the vehicle. As shown at trial,  
24 Judge Watters had not pulled his gun out or shown it until Qin suddenly stepped from the vehicle.  
25 Judge Watters stepped back and demanded that Qin sit down. At trial, the undisputed evidence

1 was that Qin refused to sit down, and then suddenly lunged at the judge. To save himself from  
2 further injury, the judge fired a shot directly into the ground. Photos obtained by Commission  
3 counsel show that the bullet fired by Judge Watters struck the ground right near the edge of the  
4 road, this was due to the fact that Judge Watters had twice stepped back or retreated from Qin  
5 before firing the shot.

6 Commission counsel's summaries of two advisories issued to Judge Watters are inaccurate  
7 and misleading. In case 20-331, a Warning was issued to the judge for transferring a case –  
8 according to Commission counsel – in a “back door” manner. That is an improper statement.  
9 Nothing about the transfer was hidden. The case was discussed and transferred with the approval  
10 and agreement of Pima County Superior Court Presiding Judge Kyle Bryson. Frankly, it was  
11 concerning to those involved in the matter that such approval was disregarded by the Commission,  
12 but to state such a false claim in the Statement of Charges is unconscionable. Further, in case 18-  
13 329, nothing ever published by the judge during the campaign against Anne Segal was false or  
14 misleading. Everything stated or published about Segal and her history as a judge was dead-on  
15 truthful and accurate.

16 The fact is, after two weeks of tormenting and terrorizing the Watters family, Mr. Qin was  
17 caught in the act of committing felony stalking at the Watters' home. Qin was not there, as he  
18 claimed, to be casually driving by or shopping for a home. Qin was there to continue terrorizing  
19 the family. And the video taken by the judge proved Qin was present.

20 Although photos taken by neighbors showed the license plate of Qin's car, and partially  
21 showed Qin, the evidence was still unclear as to who was daily committing crimes against the  
22 family. Judge Watters, having extensive training and experience with stalking behavior (he is the  
23 presiding judge of Pima County's domestic violence court) knew that the suspect's stalking  
24 behavior was escalating. (See paragraph F above). The sheriff had been called at least nine times  
25 to the Watters' home, yet the Watters were advised that the vehicle was registered to a woman,

1 and that without a clear photo of the driver, nothing more could be done. At that point, on February  
2 12th and again on the 13th, after Qin was again partially photographed at the home and was  
3 observed dumping trash, Judge Watters determined that he would try and take a photo of the person  
4 who was terrorizing his family to provide to the sheriff.

5 That was the judge's only objective on February 14: To secure a photo of the stalker. At  
6 no point did Judge Watters try and stop or confront Qin. Indeed, Mr. Grynkewich's false, self-  
7 serving statement that the judge pointed his weapon at Qin and ordered him to stop, was proven  
8 false at trial. Witnesses testified that did not happen, plus, it would be almost physically impossible  
9 for the judge to steadily hold a camera in one hand and a pistol in the other as he is disabled by  
10 Parkinson's on his left side. As stated at trial, Judge Watters was "shocked and surprised" when  
11 Qin stopped next to the judge on the roadway. Then, Qin violently and intentionally opened the  
12 car door and struck the judge. That is why the video goes askew. In fact, that the video exists at  
13 all is because the judge took it to obtain evidence against the stalker. It was never the judge's  
14 intent to have a direct confrontation with Qin, but that changed when the judge was assaulted. At  
15 that point, as Judge Watters testified at trial, it was important that Qin not flee yet again. Because  
16 his arm was struck by the car door, Judge Watters was unsure if he even then had a photograph of  
17 Qin. He was also concerned that Qin might attack his daughters, who were nearby. After being  
18 assaulted, the judge did curse and order Qin to get out of the car. Judge Watters testified that he  
19 was stalling for time as he knew 911 had been called.

20 When Qin exited the vehicle, the judge stepped back. Then, Qin stepped to within arms'  
21 reach of the judge, who stepped back again and fired a warning shot. He did not point the weapon  
22 at Qin, nor did he try and shoot the suspect. Judge Watters did not even remove the pistol from  
23 his pocket until Qin stepped out of the vehicle. As Watters testified at trial, he realized that Qin  
24 was a much younger, fitter man than he, and he was afraid that Qin would produce a knife (it was  
25 clear that the tires had been slashed with a knife and the weapon was discovered within easy reach

1 inside the car) or try to wrest the gun from him, so the judge fired the shot to prevent further  
2 physical assault.

3           Seconds later, a deputy arrived and Qin was taken into custody.

4           Mr. Grynkewich, who filed two complaints against the judge, was defense counsel for Qin.  
5 That defense lawyer made numerous false, defamatory public statements against the judge and his  
6 family. For whatever twisted reason, Grynkewich publicly stated he was out to “get” Judge  
7 Watters. He then proceeded to make false claims in the local media, such as the lie that Judge  
8 Watters held a gun on his client and forcibly stopped Qin in the road. That defamatory statement  
9 is found in the complaint he filed with this Commission. Grynkewich told dozens of local  
10 attorneys that the judge and members of the Watters family were liars, and he indicated just days  
11 before trial that the State had offered Watters “immunity” for his testimony. That of course was  
12 false.

13           Grynkewich filed a complaint with the Bar against Judge Watters’ daughter, stating she  
14 was fired by the county attorney’s office due to the arrest of Qin and her presence there that day.  
15 That false statement is the subject of a defamation lawsuit against the local daily newspaper as it  
16 is *per se* defamatory, yet Grynkewich stated it as fact and sought to question her at Qin’s trial about  
17 her “termination.” The Bar summarily dismissed Grynkewich’s complaint.

18           Many members of the local Bar approached Judge Watters, who has never commented to  
19 the news media about the Qin matter, indicating that Grynkewich had “lost his way” and had  
20 become obsessed with destroying Watters through defending the case. It became apparent that  
21 Grynkewich viewed the case as his opportunity to make a name for himself. Indeed, Grynkewich  
22 would notify local media when hearings were set by the court in the Qin case.

23           On the evening he was served with Grynkewich’s subpoena, Watters was aware that  
24 numerous false unprofessional statements had been made about him and his family by defense  
25 counsel. Indeed, Judge Watters had been advised by other members of the judiciary to file a formal



1 complaint regarding Grynkewich's erratic and openly hostile behavior but he refrained until the  
2 trial was completed. The judge was also aware that Grynkewich was trying to elicit testimony from  
3 Watters by filing a frivolous motion, claiming that Watters was acting as a *de facto* police officer  
4 when Qin was arrested.

5 That motion, by the way, was summarily dismissed by the court at hearing.

6 Judge Watters was confronted at night at his home by a process server. Perhaps he should  
7 not have used foul language when describing Grynkewich and the stalker, but given the assault on  
8 his family made by both of them, it was certainly excusable.

#### 9 10 **Issues to be Determined by the Panel**

11 The question for this Commission is simple: Is a judge entitled to less protection and less  
12 right to protect his or her family, home and person than anyone else? Is a judge – either male or  
13 female - to be censured, suspended or removed from elected office because he or she stopped  
14 someone from committing further acts of aggression and criminality against the judicial officer?  
15 Is a judge to be disciplined when no crime was committed and no ethical breach to be found by  
16 that judge?

17 Judge Watters should not be further tormented by the felonious actions taken by Qin. He  
18 is the victim of a serious felony, and the actions he took were all taken to stop a criminal from  
19 stalking him and committing further outrages against him and his family. With crime on the  
20 increase, and in particular with judges being increasingly targeted by those appearing in their  
21 courts, disciplining a justice who stopped a felon in the act of committing crimes would undermine  
22 the safety and well-being of the judiciary.

1           **Agreements**

2           The parties agree that an incident occurred at Respondent’s residence on February 14,  
3 2021. During that incident, a Mr. Fei Qin was arrested and subsequently charged with felony  
4 stalking of Justice of the Peace Adam Watters. Qin was later tried in Superior Court and convicted  
5 of felony stalking in violation of ARS 13-2923

6           The parties agree that Qin was sentenced to 18 months in prison, and is currently in the  
7 custody of the Arizona Department of Corrections.

8           At the time of his arrest Qin had a large kitchen knife in his vehicle. It was later shown at  
9 trial that the 12-inch knife was the one used to slash the tires of Judge Watters’ vehicle, which was  
10 in the driveway of his home. Judge Watters tires were slashed twice, both times all four tires were  
11 slashed.

12           A rifle scope was found in Qin’s vehicle, that day of his arrest.

13           Qin, a former attorney, had his license suspended by the Colorado Supreme Court after his  
14 conviction for domestic violence.

15           Qin was on private property at the time of his arrest.

16           **Disputed Issues**

17           Whether Qin was in the act of committing a felony on the day of his arrest at the Watters’  
18 home.

19           Whether Watters was justified in defending his home and family after suffering a series of  
20 events including but not limited to: at least a dozen instances of trash and garbage being dumped  
21 on the Watters’ property; having twice had the tires on his truck slashed at night; knowing that the  
22 person slashing the tires clearly was armed with a knife; being assaulted and physically injured by  
23 Qin on Feb. 14 2021; having Qin act as if he was going to assault the Respondent a second time;  
24 having his wife stalked, threatened and terrorized by Qin for 20 minutes on February 12, 2021;  
25

1 fearing that his wife might be injured or worse based on a February 12 conversation that was  
2 interrupted by Qin approaching his home by walking up the driveway in the middle of the day.

3 Whether Watters forced Qin to stop his vehicle on Feb. 14, 2021 or whether Qin stopped  
4 on his own and assaulted the Respondent.

5 Whether the Respondent acted in self-defense.

6 Respondent takes the position, as stated above in the first section of this pleading, that  
7 under the Rules of Civil Procedure, all Requests for Admissions not specifically denied are deemed  
8 admitted. There is no rule or language in the rules that allow for “conditional” admissions.

9 **Respondent’s List of Witnesses**

10 Adam Watters – will testify about the events leading up to and including the arrest of  
11 Fei Qin at the judge’s home and about the harassment of Watters as a victim by defense  
12 counsel.

13 Brian McIntyre – Cochise County Attorney is expected to testify as to the evidence  
14 produced at Fei Qin’s trial, and in particular as to the evidence produced by, from and  
15 related to the Feb. 14 arrest of Mr. Qin. He will also testify as to his observations of  
16 attorney Grynkewich and his obvious hostility toward the Respondent.

17 Caitlin Watters – A witness to the Feb. 12 and 14 events as well as the stalking of her  
18 parents prior to those dates.

19 Esther Underwood – the Watters neighbor who witnessed Qin’s stalking of the family  
20 and photographed his vehicle at the Watters home on multiple occasions. She also  
21 witnessed Qin throwing trash onto the property.

22 Jill Watters – will testify as to the effect and impact Qin’s felonious actions had on her  
23 and her husband and the efforts made to try and stop the unknown person from  
24 terrorizing and stalking the Watters.

1 Tom Fink, Santa Cruz County Superior Court Judge – He was the trial judge in State  
2 v. Qin and will testify as to his observations of the trial and his reasons for sentencing  
3 Mr. Qin to prison.

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5  
6 4 List of Exhibits

7 1) The list of Exhibits attached to the initial Response to Statement of Charges filed by  
8 Respondent, including each of those exhibits as if listed separately herein.

9 Photo of knife found in Qin's vehicle, linked to slashing of Watters' tires

10 Minute Entry of Dec. 15, 2021 case CR20210439 showing conviction for felony stalking  
11 of Fei Qin.

12 Article showing photo of Fei Qin discussing his 1.5 year sentence.

13 Colorado Supreme Court finding suspending Qin's license for domestic violence on his  
14 family.

15 Photo of rifle scope found in Qin's vehicle on February 14, 2021

16 Injuries to Watters' arm caused by Qin assaulting him with car door on Feb. 14, 2021.

17 Photos of slashed tires on Watters' vehicle

18 Commission responses to Request for Admissions

19 Photos taken by Esther Underwood, taken of Fei Qin's vehicle on the road in front of the  
20 Watters' home on two occasions.

21 Photo of Fei Qin's vehicle taken by Judge Watters on Feb. 14, 2021

22 Certified Trial transcript of State of Arizona v. Fei Qin CR20210439. (4 days)

23 Certified Trial transcript of Fei Qin sentencing Jan. 12, 2022 Sentence of Imprisonment.

24 Certified transcript from Dec. 15, 2021 Jury verdict finding Fei Qin guilty.

25 Sentence notification form Jan 12, 2022, including pre-sentence report

1 Photos of trash dumped on Watters property by Fei Qin.

2  
3  
4  
5 Objections to Listed Documents:

6 Commission counsel has listed voluminous police reports and attached documents as  
7 exhibits. Although listed, police reports and photos were never disclosed or provided to  
8 Respondent. Respondent objects to the admission of any such reports and documents on the basis  
9 of hearsay and lack of foundation and lack of disclosure.

10 DATED September 1, 2022.

11  
12 Approved by:  
*/s/ Adam W. Watters* \_\_\_\_\_

13 Respondent  
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**FILED**

**AUG 30 2022**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>ORDER</b>
Respondent	)	

---

The Commission has received Respondent's Motion To Continue Hearing the formal hearing scheduled for September 6, 2022, and Disciplinary Counsel's Opposition to the Motion to Continue.

Respondent requests that the formal hearing be continued for 60 days. He asserts in part that the request is not made to delay this proceeding, but arises because "he has been under the assumption that he could not afford legal counsel to represent him in this matter." Respondent asserts that estimates obtained from various firms indicated legal costs could range into the "tens of thousands of dollars." He also notes his age, 60, and states that he suffers from various health issues. Due to those factors, along with completion of his service as a justice of the peace when his tenure ends in four months, Respondent cannot afford legal counsel. According to Respondent, however, he recently discovered that Maricopa County's practice is "to pay for a judge's defense before this Commission." Respondent has therefore tendered his defense to Pima County, and he has communicated with an attorney who is ready to represent him if Pima County accepts the tender. Presumably because Respondent does not know how long that process may take, he asserts that

additional time would be needed to give counsel time to prepare for the formal hearing. Additionally, Respondent argues that he needs legal support at the hearing because “the Commission may make findings that he violated certain laws,” including criminal statutes.

Disciplinary Counsel opposes the request, asserting in part that the request is untimely and that a newly discovered source of funding for legal counsel is not an extraordinary circumstance. Disciplinary Counsel also argues that Respondent failed to explain why information about a potential source of funds from Pima County to pay his legal fees was not discoverable at an earlier date. Thus, Respondent has not “stated a new or changed circumstance.” Instead, he has merely asserted a “new-found awareness of an option that presumably has been available to him all along.” Disciplinary Counsel also asserts that Respondent’s ability to obtain funding for his defense from Pima County is speculative.

The Commission does not take lightly Respondent’s request for a continuance, and specifically, his desire to be represented by an attorney at the formal hearing. See Ariz. R. Comm’n Judicial Conduct 8 (“A judge is entitled to due process, including, but not limited to, the right to defend against the charges and to be represented by counsel at his or her own expense.”). However, Respondent’s Motion must be considered in the context of prior orders as well as Commission Rule 27, which states that the presiding member of the hearing panel “will facilitate the prompt and timely resolution of the case.”

In January 2022, the Commission provided Respondent with the Notice of Institution of Formal Proceedings, which informed him, among other things, of the right to be represented by counsel. At the same time, the Commission served Respondent with the Statement of Charges. After subsequent discussions with Respondent and Disciplinary Counsel about various matters, including the need for setting a firm hearing date and confirmation of availability of all involved, on May 10 the Commission issued an Order Setting Hearing, which scheduled the formal hearing for September 6. The order informed the parties that “no request for a continuance will be granted absent extraordinary circumstances.” On June 7, the Commission issued a Case Management Order, stating in part:

The parties shall treat this judicial disciplinary proceeding as a priority matter and are hereby notified that the deadlines and dates set in this order shall not be continued or extended unless the party seeking a continuance or extension makes a specific showing of good cause, or, in the case of the hearing date, a showing of extraordinary circumstances.

Further emphasizing the significance of the hearing date, the Case Management Order alerted the parties that “[t]his is a firm hearing date, and absent extraordinary cause, no continuance will be granted.”

The Commission is not persuaded that Respondent has met his burden of establishing that extraordinary circumstances exist to justify continuing the formal hearing. Respondent has not shown, in the exercise of reasonable diligence, that he could not have made inquiries to Pima County many months ago as to whether it would pay for an attorney to represent him in this proceeding. As noted, Respondent was informed of the charges in January, and in early May he received notice of date



of the formal hearing. He was also aware that selecting the date for the formal hearing would require careful coordination, given the need (1) to confirm availability of an appropriate hearing room and (2) accommodate the schedules of eight Commission members, Disciplinary Counsel, and Respondent. Thus, Respondent's request to delay the formal hearing on the grounds that he just discovered he may be able to secure counsel through Pima County is not compelling.

Moreover, Respondent has substantial experience involving legal matters, having practiced law as a licensed attorney before his full-time service as a justice of the peace for many years. Respondent has not shown he is incapable, due to his age, health issue, or lack of legal expertise, of continuing to represent himself in this proceeding, including at the formal hearing, or that doing so will constitute a denial of due process. Cf. *Matter of Wetzel*, 143 Ariz. 35, 37 (1984) (rejecting attorney's claim that he was deprived of due process based on denial of his request for continuance of disciplinary hearing; he was not entitled to an unlimited amount of time to secure counsel). Accordingly,

It is ordered denying Respondent's Motion to Continue Hearing,

It is further ordered confirming that the date of the formal hearing in this matter will be held on Wednesday, September 7, 2022, starting at 9:00 a.m.

It is further ordered that Respondent and Disciplinary Counsel shall participate in the telephonic Prehearing Conference, previously ordered as part of the Case Management Order, on Thursday, September 1, 2022, at 1:00 p.m. The parties shall be prepared to address all matters necessary to finalize preparation for the

formal hearing, including compliance (or lack thereof) with the Case Management Order and the pending requests to broadcast.

Dated this 30th day of August, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown

Hon. Michael J. Brown  
Presiding Hearing Panel Member

Copies of this document were electronically served, via email, this 30th day of August, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

Ariel I. Worth (Bar # 018702)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *aworth@courts.az.gov*

**FILED**  
AUG 29 2022  
ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>POSITION STATEMENT</b>
Respondent	)	<b>REGARDING REQUEST TO</b>
	)	<b>BROADCAST</b>

---

Disciplinary Counsel hereby submits a response to the requests regarding media coverage at the September 7, 2022, disciplinary hearing (Hearing) of Respondent Adam W. Watters. The only witness anticipated by Disciplinary Counsel is Respondent.

1. Request for general livestream coverage of the Hearing.

Disciplinary Counsel is opposed to this request. It is unclear who initiated this request and therefore it is unclear whether there is genuine public interest in these proceedings or a prurient personal interest. While these proceedings have generated some media interest in the past, this general livestreaming request is not from a media entity. It appears instead to be a personal request. Disciplinary Counsel suggests that all parties to this matter, including the Commission, are not well-served

by making the specifics of the hearing available for the sake of gossip or other curiosity.

2. Request from ABC15 to record the Hearing for later broadcast.

Disciplinary Counsel is opposed to this request. While it is understood that there is media interest in the Hearing, the request by ABC15 to record and later broadcast portions of the Hearing does not advance the purposes of judicial discipline. The purpose of discipline is to protect the public and maintain high standards for the judiciary. The Hearing itself is public and open to all observers, including media, who may wish to attend. A media representative may observe and report on the proceedings. However, ABC15 is not the local news station for Respondent's jurisdiction, thus making it less clear as to their interest in the Hearing. To the extent ABC15 may be reporting more generally on Commission proceedings, as ABC15 has done in the past, it can carry out such reporting through attendance and observation of the Hearing.

Disciplinary Counsel is additionally concerned that in the current media and political climate, any video depictions of a judge or the hearing panel will subject those parties to harassment or other abusive treatment. There are many recent examples in the news regarding judges and other political officials who have been subject to threats based on their actions in court or while carrying out official duties. Additionally, Respondent has indicated during the litigation that his medical situation may be discussed for purposes of mitigation. While the Hearing is necessarily public, having personal medical details broadly published through

livestreaming or media broadcasting is an additional and unnecessary burden on Respondent's ability to present mitigating evidence.

Disciplinary Counsel suggest that if recording is allowed, the faces of the participants be obscured or otherwise not depicted.

**COMMISSION ON JUDICIAL CONDUCT**

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Ariel I. Worth  
Disciplinary Counsel

Copies of this document were electronically served this 29th day of August, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

**FILED**

**AUG 26 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

Ariel I. Worth (Bar # 018702)  
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**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>Disciplinary Counsel's Pre-</b>
Respondent	)	<b>Hearing Memoranda</b>

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Disciplinary Counsel hereby submits a separate pre-hearing memoranda in accordance with the case management order dated June 7, 2022. Disciplinary Counsel was unable to secure cooperation of Respondent in preparation of a joint pre-hearing memoranda.

1. Agreements Reached

Based on Respondent's Supplemental Response to Statement of Charges, filed March 3, 2022, there is agreement only as to the following factual matters. Many specific factual allegations of misconduct are disputed, either in whole or in part, by Respondent. Additionally, the paragraph numbers used by Respondent in his Supplemental Response to Statement of Charges, do not in all cases match with the paragraph numbers in the Statement of Charges making unclear which allegations

are admitted. Disciplinary Counsel asserts in good faith that the following matters are not in dispute.

### **Undisputed Facts - General Background**

A. The Commission has jurisdiction of this matter pursuant to Article 6.1, § 4 of the Arizona Constitution and the Rules of the Commission (Commission Rules).

B. The Statement of Charges was filed pursuant to Rule 24(a) of the Commission Rules.

C. Respondent was serving in his capacity as a judge at all times relevant to these allegations. Respondent's history of service as a judge in Pima County is as follows:

- Part-time justice of the peace, late 2000 or early 2001, through May 6, 2008;
- Full-time justice of the peace, May 6, 2008, through December 31, 2008;
- Part-time justice of the peace, January 1, 2009, through December 31, 2014;
- Full-time justice of the peace, January 1, 2015, to present.

D. As a judge, Respondent is subject to the Arizona Code of Judicial Conduct (Code) as set forth in Supreme Court Rule 81.

E. Consistent with the requirements of Commission Rule 22(e), Disciplinary Counsel notified Respondent on Friday, December 3, 2021, that his prior disciplinary history may be considered in these proceedings.

F. In Case No. 14-165, Respondent was charged for appearing in a photograph on his law firm's website in a judicial robe and advertised himself on the

website as an active part-time judge pro tem in the Arizona court system. The Commission issued a public reprimand, noting this was an abuse of the prestige of the judicial office to advance his own personal and/or economic interests in violation of Rule 1.3 of the Code.

G. In Case No. 15-115, the Commission determined Respondent had not removed the photograph discussed in Case No. 14-165 from his former law firm's website. The Commission issued a warning to Respondent to ensure that his former law firm eliminated any reference to the judge as a member of the firm and remove his name from the firm's name.

H. In Case No. 16-007, the Commission issued an advisory to Respondent. The specific facts regarding the advisory are disputed by Respondent.

I. In Case No. 16-105, the Commission issued a warning to Respondent. The specific facts regarding the warning are disputed by Respondent.

J. In Case No. 18-329, the Commission issued an advisory to Respondent. The specific facts regarding the advisory are disputed by Respondent.

K. In Case No. 20-331, the Commission issued a warning to Respondent. The specific facts of the warning are disputed by Respondent.

## 2. Disputed Issues

Disciplinary Counsel asserts in good faith that the parties do not dispute, in general terms, the events that occurred on February 14, 2021, and October 20, 2021.

Respondent has disputed some specific facts related to his interactions with Mr. Fei Qin on February 14, 2021, but has not disputed that a confrontation occurred



and that he discharged a firearm into the ground in close proximity to Mr. Qin. Respondent has disputed that his actions were unlawful or in violation of the Code.

Respondent has not disputed the general details of his interaction with a process server on October 20, 2021, but has disputed that his actions were in violation of the Code.

### 3. Discovery Disputes

Disciplinary Counsel is unclear as to whether Respondent considers a prior discovery dispute resolved. On March 22, 2022, Respondent propounded his Respondent's Request for Admissions 1-8 to Charging Party Commission on Judicial Conduct: Non-Uniform Interrogatories to Charging Party Commission on Judicial Conduct. Disciplinary Counsel responded to this discovery request on May 17, 2022.

During a status conference on June 2, 2022, Respondent indicated that he found Disciplinary Counsel's responses deficient. Disciplinary Counsel, at the time, indicated a willingness to confer. Respondent next contacted Disciplinary Counsel via email on Friday, July 15, 2022, at which time he outlined his concerns about the previously tendered responses and requested a time to confer telephonically. Respondent and Disciplinary Counsel were ultimately able to confer on July 22, 2022. As a result of that discussion, the parties both agreed to participation in settlement negotiations and a settlement conference was held on August 19, 2022.

Disciplinary Counsel is unable to assert that Respondent's concerns about discovery were fully resolved after the July 22, 2022, telephone conference. However, Respondent has taken no additional action on this issue, such as filing a motion to

compel or propounding supplemental discovery requests. Respondent did not raise any issue regarding discovery during the August 19, 2022 settlement conference, and he has not communicated with Disciplinary Counsel since that date. Disciplinary Counsel considers any dispute over the previously tendered discovery responses to be resolved, or waived, but under the circumstances cannot speak for Respondent.

Finally, Disciplinary Counsel notes that specific objections were made to Respondent's Requests for Admission 4, 7 and 8. In his email dated July 15, 2022, Respondent asserted that these Requests for Admission were deemed "admitted as not specifically denied" despite the stated objections. Disciplinary Counsel disagrees that a good-faith objection can be deemed an admission and does not consider these matters admitted. Disciplinary Counsel also re-urges the previously stated position that admissions and interrogatories are not specifically authorized under the Commission Rules, that responses in this case were made voluntarily and in good faith to promote possible resolution of disputed issues, and that no sanction or adverse admission can flow from said responses.

4. Disciplinary Counsel's List of Witnesses

- a. Respondent Adam W. Watters. Respondent is expected to testify regarding the events of February 14, 2021, and October 20, 2021.

5. Disciplinary Counsel's List of Exhibits

Disciplinary Counsel will be moving for admission of the exhibits listed herein. It was anticipated that these exhibits would be admitted by stipulation of the parties, but Respondent has declined Disciplinary Counsel's request to confer and reach

agreement on pre-hearing matters. Disciplinary Counsel asserts in good faith that the following exhibits will not be met with objection or require foundation for admission at hearing. All exhibits have been previously exchanged with Respondent.

- a. Initial Complaint (Case No. 21-043) filed by the Commission on Judicial Conduct on March 1, 2021.
- b. Initial Complaint (Case No. 21-048) filed by David Greer on March 2, 2021.
- c. Initial Complaint (Case No. 21-155) filed by Jeffrey Grynkewich, Esq., on May 5, 2021.
- d. Disciplinary Counsel's letter to Respondent seeking a response regarding Case Nos. 21-043, 21-048, and 21-155, dated June 1, 2021.
- e. Initial Complaint (Case No. 21-248) filed by Anne Fisher Segal, Esq., on July 23, 2021.
- f. Respondent's first response to Case Nos. 21-043, 21-048, and 21-155 received on August 9, 2021.
- g. Disciplinary Counsel's letter to Respondent seeking a response regarding Case No. 21-248, dated August 10, 2021.
- h. Respondent's second response (with exhibits) to Case No. 21-248 received September 3, 2021.
- i. Complaint Supplement (Case No. 21-155) filed by Mr. Grynkewich on October 28, 2021.

- j. Disciplinary Counsel's letter to Respondent seeking a supplemental response regarding Case No. 21-155, dated October 29, 2021.
- k. Respondent's third response to the Complainant Supplement in Case No. 21-155 received November 19, 2021.
- l. Video recording of the February 14, 2021, incident taken by Respondent on his cell phone.
- m. Audio Recording from process server, Adam Kirchler, of the conversation between Respondent and Mr. Kirchler on October 20, 2021.
- n. Police interviews, pictures, and incident reports all contained in the complaint in Case No. 21-155.
- o. Reprimand Order from Arizona Commission on Judicial Conduct Case No. 14-165.
- p. Dismissal Order from Arizona Commission on Judicial Conduct Case No. 15-118.
- q. Dismissal Order from Arizona Commission on Judicial Conduct Case No. 16-007.
- r. Dismissal Order from Arizona Commission on Judicial Conduct Case No. 16-015.
- s. Dismissal Order from Arizona Commission on Judicial Conduct Case No. 18-329.

- t. Dismissal Order from Arizona Commission on Judicial Conduct  
Case No. 20-331.

6. Settlement Discussions

The parties participated in a settlement conference on Friday, August 19, 2022, presided over by the Honorable Larry Winthrop. The parties did not reach an agreement at that time, but Respondent did request draft settlement documents from Disciplinary Counsel and further requested a telephonic conference to take place on Tuesday, August 23, 2022, to discuss the draft proposal. Draft settlement documents were forwarded to Respondent via email on August 19, 2022, shortly after the settlement conference concluded, along with confirmation of the telephonic conference date. Respondent has not been in contact with Disciplinary counsel since the draft settlement documents were provided, and he did not call for the scheduled telephone conference. Respondent has instead filed a motion to continue the scheduled hearing of this matter in order to retain legal counsel and “allow that counsel to prepare for the hearing” (Resp. Mot. Cont. Hrg, p. 2). Given Respondent’s now stated intention to proceed to hearing, Disciplinary Counsel considers the prior settlement offer to be rejected. There is no further offer of settlement pending.

**COMMISSION ON JUDICIAL CONDUCT**

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Ariel I. Worth  
Disciplinary Counsel

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Copies of this document were electronically served this 26th day of August, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

**FILED**

**AUG 26 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

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**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>OPPOSITION TO MOTION</b>
Respondent	)	<b>TO CONTINUE HEARING</b>

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Disciplinary Counsel hereby submits this Opposition to Motion to Continue Hearing. The requested continuance is both untimely and improper. Respondent Adam W. Watters has been in formal proceedings since the filing of the Statement of Charges on January 7, 2022. Respondent agreed to the currently scheduled hearing date in consultation with the Commission Clerk on May 6, 2022, and the order setting final hearing date was issued on May 10, 2022. In the case management order issued on June 7, 2022, this hearing panel affirmed this final hearing date and further stated “the dates set in this order shall not be continued unless the party seeking a continuance or extension makes a specific showing of good cause, or, *in the case of a hearing date, a showing of extraordinary circumstances*” (emphasis added). Now, two weeks prior to hearing, Respondent is claiming a newly discovered ability

to acquire legal representation at public expense. As set forth more fully below, this is not an “extraordinary circumstance” for postponing the scheduled hearing.

**1. A newly discovered source of legal defense funding is not an extraordinary circumstance.**

Respondent’s stated reason for seeking a continuance is to acquire legal counsel. Respondent, as both a lawyer and a judge, has been well aware of his right to counsel throughout these proceedings. Respondent even notes in his motion that he was desirous of counsel previously but did not want to bear the expense. Respondent claims to have just discovered a potential source of funds from Pima County. In other words, Respondent has not discovered a new need for counsel or changed his mind about the desirability of counsel, he has simply found a new potential source of payment. Respondent does not explain why this information was not discoverable to him at an earlier date. Overall, Respondent has not stated a new or changed circumstance, but rather has stated a new-found awareness of an option that presumably has been available to him all along. This is not an “extraordinary circumstance” justifying the postponement of the scheduled hearing.

**2. Respondent’s ability to obtain legal defense funding is speculative.**

Respondent has asserted, without support or documentation, that Maricopa County pays for legal counsel in matters before the Commission. Based on this assertion, Respondent believes that Pima County will possibly extend the same benefit to him. At this time it is completely unknown whether



Pima County has a similar policy to the one claimed to exist in Maricopa County, whether Respondent's request for publicly funded legal defense will be granted,<sup>1</sup> and if so on what timeframe. It is entirely possible that Respondent's requests for legal defense coverage will be denied, in which case the requested continuance would only create delay. A postponement of hearing for a speculative benefit is not appropriate.

For all the foregoing reasons, Disciplinary Counsel opposes Respondent's Motion to Continue Hearing and requests that same be denied.

**COMMISSION ON JUDICIAL CONDUCT**

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Ariel I. Worth  
Disciplinary Counsel

Copies of this document were electronically served this 26th day of August, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

---

<sup>1</sup> Respondent's motion contains as an exhibit, the text of an email sent to Pima County Risk Management, in which Respondent asks Pima County to provide him with legal defense counsel. While it is beyond the scope of this motion to argue the factual matters asserted in the email, Disciplinary Counsel questions the claim that Respondent's alleged misconduct was "due to being a judge and a county employee." Disciplinary Counsel suggests that any legal defense coverage provided by county government is likely limited in scope, and that Respondent's actions could quite easily be deemed outside the course of his official duties and not eligible for coverage.

**FILED**

**AUG 24 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

1 Adam Watters, Esq.

2  
3 P.C.C. No.:65181  
4 Respondent

5  
6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct ,	)	
8	)	Judge Michael Brown, Presiding
9 Complainant,	)	
	)	Cases No.: 21-043, 21-048, 21-248, 21-155
10 vs.	)	
	)	<b><u>MOTION to CONTINUE HEARING</u></b>
11 Adam Watters,	)	
	)	
12 Respondent.	)	
	)	
13	)	
14	)	

15 Respondent requests that the hearing set for September 7, 2022 be continued for 60 days.

16 This request is not made to delay the proceedings, but, rather due to the following circumstances:

17 Respondent has been under the assumption that he could not afford legal counsel to  
18 represent him in this matter. Indeed, estimates obtained from various firms indicated that costs  
19 could range into the tens of thousands of dollars. Respondent is 60, and suffers from various health  
20 issues, including Parkinsons. Indeed the Parkinsons diagnosis is relevant to the events at issue in  
21 that there is a false assertion that Respondent was both holding a pistol and a camera when the  
22 Feb. 14, 2021 matter took place. Physically, that was and is impossible for Respondent. However,  
23 the reality is, for Respondent, who has worked as a Justice of the Peace for 10 years, to afford  
24 defense counsel, when his tenure as a justice ends in four months, is unrealistic and quite beyond  
25 his means. Additionally, Respondent's speech, coordination and physical stamina have severely

1 declined over the past 18 months. In short, at age 60, facing serious health issues, and  
2 unemployment, Respondent could not afford counsel. However, he recently discovered that in  
3 matters before this Commission, it is the practice of Maricopa County to pay for a judge's defense  
4 before this Commission. Therefore, Respondent has tendered his defense to Pima County Risk  
5 Management. (Exhibit One attached) He has obtained the commitment of a well-respected  
6 attorney, one who is familiar with the Commission, its practices and procedures, and who has  
7 repeatedly appeared before both the State Bar and the Commission, if and when Pima County  
8 accepts the tender request.

9 Prospective counsel advised that Pima County should accept the tender request as  
10 Respondent was stalked and attacked due directly to his employment as a Pima County judge.  
11 This continuance is sought in order for Respondent to secure counsel and allow that counsel to  
12 prepare for the hearing.

13 In addition, Respondent has been informed that the Commission may make findings that  
14 he violated certain laws. Respondent sent Requests for Admissions to Commission counsel. One  
15 such request asked that the Commission admit that Plaintiff has committed no crime related to  
16 these matters. Commission counsel denied that request and submitted that Respondent may have  
17 violated five different criminal statutes, including four misdemeanors and a felony. It is  
18 Respondent's position, after talking with prospective counsel, that given that is the Commission's  
19 position, he is in need of legal support at the hearing.

20 In summary, Respondent only recently, within the past 24 hours, discerned that Pima  
21 County may well have a duty and obligation to defend him. He has not delayed these proceedings  
22 at any stage, and indeed has cooperated at all times, including attending a recent settlement  
23 conference with Commission counsel and Judge Larry Winthrop. He has a good-faith basis for  
24 requesting a continuance, and asks the Court to grant such.

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DATED August 24, 2022.

/s/ Adam W. Watters

Adam Watters  
Respondent

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EXHIBIT ONE

Email sent to Pima County Risk Management August 22, 2022:  
Maria Luna, Div. Manager Pima County Risk Management  
I am appearing in front of the Commission on Judicial conduct related to my duties as a Justice of the Peace in Pima County. The Commission may take various punitive actions against me as a judge. Specifically, I was stalked and assaulted by a man named Qin after he twice appeared in my courtroom. I effectively arrested Mr. Qin at my home on Feb. 14, 2021. He was convicted and is in prison. I was only made aware today that it is the duty and responsibility of the county to provide counsel for me in front of the Commission as the stalking incident was due to my being a judge and county employee. My hearing is Sept. 7, 2022 so I need a response from Risk Management as to providing counsel to represent me.  
I have an attorney ready to represent me. His name is Donald Wilson of the firm of Broening Oberg and Woods, Phoenix. His number is I am familiar with the attorney and seek his representation. He represents judges frequently.  
I await your prompt response

Adam Watters

**FILED**

**AUG 24 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

1 Adam Watters, Esq.

2  
3 P.C.C. No.:65181  
4 Respondent

5  
6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )  
12 )  
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14 )

Judge Michael Brown, Presiding

Cases No.: 21-043, 21-048, 21-248, 21-155

**CERTIFICATE OF SERVICE**

15 Respondent certifies that the Motion to Continue Hearing and this certificate of service  
16 were filed this date via email to both Kim Welch, the clerk of the CJC and attorney Ariel Worth,  
17 counsel for the CJC.

18 DATED August 24, 2022.

19  
20 /s/ Adam W. Watters

21 Respondent  
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**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>AMENDED ORDER</b>
Respondent	)	

The Commission has received two requests pursuant to Rules 122 and 122.1, Arizona Rules of the Supreme Court: 1) Request from Alberto Rodriguez, the Communications Director for the Administrative Office of the Courts seeking to livestream the formal hearing on September 7, 2022; and 2) Request from ABC15 seeking to video the formal hearing on September 7, 2022 for later broadcast.

It is hereby ordered directing the parties submit position statements on these two requests by Monday, August 29, 2022. The statements shall include the positions of any witnesses who would be subject to the requested coverage, as provided under Rule 122(c)(5) and Rule 122(d)(2).

Dated this 19th day of August, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown  
 Hon. Michael J. Brown  
 Presiding Hearing Panel Member

///

Copies of this document were electronically served, via email, this 19th day of August, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk



**FILED**

**AUG 19 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>ORDER</b>
Respondent	)	

The Commission has received two requests pursuant to Rules 122 and 122.1, Arizona Rules of the Supreme Court: 1) Request from Alberto Rodriguez, the Communications Director for the Administrative Office of the Courts seeking to livestream the formal hearing on September 7, 2022; and 2) Request from ABC15 seeking to video the formal hearing on September 7, 2022 for later broadcast.

It is hereby ordered directing the parties submit position statements on these two requests by Friday, August 29, 2022. The statements shall include the positions of any witnesses who would be subject to the requested coverage, as provided under Rule 122(c)(5) and Rule 122(d)(2).

Dated this 19th day of August, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown  
 Hon. Michael J. Brown  
 Presiding Hearing Panel Member

///

Copies of this document were electronically served, via email, this 19th day of August, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk



# Request to Broadcast, Record, or Photograph

\* Requests to record must be filed a minimum of 48 hours in advance, per court rules and policy. See Rules of the Arizona Supreme Court, [122](#) and [122.1](#) and [Administrative Order 2019-142](#).

- Court of Appeals     
  Arizona Supreme Court     
  Other Court-Use Location  
 Courtroom Proceeding     
  Courthouse or court-use location

Case Number: Unknown: Commission on Judicial Conduct Hearing for JP Adam Watters

Date(s) of Hearing or Argument: September 7, 2022

OR

Other Event Name and Location: Room 109 of the State Courts Building

Date(s): \_\_\_\_\_

The undersigned hereby applies for permission to broadcast, record, or photograph in the State Courts Building, or other court-use location for:

- Audio for later broadcast     
  Video for later broadcast  
 Live Audio Broadcast     
  Live Video Broadcast  
 Still Photography  
 Other (specify): \_\_\_\_\_

**Applicant Information** – Required so Court can inform applicant of alternative location, date, time, or manner, if any.

Name: ABC15 Arizona (Journalist and/or photographer TBD)

Organization (if any): ABC15 Arizona

Phone: 602-685-6340

Email: smartin@abc15.com; lauren.wilson@abc15.com

**Consent:** Attach the written consent of persons to be recorded for recording outside a proceeding, if applicable.

By signing below, I agree to abide by the direction of the designated staff person while at the State Courts Building or other court-use location. Rules [122](#) and [122.1](#) provide guidance for media coverage, recordings, and photography. Designated staff may suspend activity that threatens any person, disrupts court operations, compromises court security, or violates [Administrative Order 2019-142](#).

Signature: Shawn Martin, Executive Producer Date: August 1, 2022

Return completed form to Alberto Rodriguez, Communications Officer at [arodriguez@courts.az.gov](mailto:arodriguez@courts.az.gov). For questions call (602) 452-3656.





# Request to Broadcast, Record, or Photograph

\* Requests to record must be filed a minimum of 48 hours in advance, per court rules and policy. See Rules of the Arizona Supreme Court, [122](#) and [122.1](#) and [Administrative Order 2019-142](#).

- Court of Appeals
  Arizona Supreme Court
  Other Court-Use Location  
 Courtroom Proceeding
  Courthouse or court-use location

Case Number: 21-043, 21-048, 21-155, 21-248

Date(s) of Hearing or Argument: September 7, 2022 at 9 a.m.

OR

Other Event Name and Location: Formal Disciplinary Hearing of Judge Adam W. Watters

Date(s): \_\_\_\_\_

The undersigned hereby applies for permission to broadcast, record, or photograph in the State Courts Building, or other court-use location for:

- Audio for later broadcast
  Video for later broadcast  
 Live Audio Broadcast
  Live Video Broadcast  
 Still Photography  
 Other (specify): Court-supported livestream for public consumption

**Applicant Information** – Required so Court can inform applicant of alternative location, date, time, or manner, if any.

Name: Alberto Rodriguez

Organization (if any): Arizona Supreme Court Administrative Office of the Courts

Phone: 602.452.3656

Email: arodriguez@courts.az.gov

**Consent:** Attach the written consent of persons to be recorded for recording outside a proceeding, if applicable.

By signing below, I agree to abide by the direction of the designated staff person while at the State Courts Building or other court-use location. Rules [122](#) and [122.1](#) provide guidance for media coverage, recordings, and photography. Designated staff may suspend activity that threatens any person, disrupts court operations, compromises court security, or violates [Administrative Order 2019-142](#).

Signature: Alberto Rodriguez Date: August 5, 2022

Return completed form to Alberto Rodriguez, Communications Officer at [arodriguez@courts.az.gov](mailto:arodriguez@courts.az.gov). For questions call (602) 452-3656.

STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT

FILED

JUN 07 2022

ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

Inquiry concerning )  
 ) Case Nos. 21-043  
**Judge Adam W. Watters** ) 21-048  
 ) 21-155  
Pima County Consolidated Justice Court ) 21-248  
State of Arizona )  
 ) **CASE MANAGEMENT**  
Respondent ) **ORDER**

---

The charges in this case were filed on January 7, 2022. The Respondent filed a response on February 4, 2022, and a supplemental response on March 3, 2022. To manage the matters under consideration, this Order is issued under Rule 27(b) (“Commission Rule”) of the Rules of the Arizona Commission on Judicial Conduct.

**IT IS NOW THEREFORE ORDERED,**

1. **Priority.** The parties shall treat this judicial disciplinary proceeding as a priority matter and are hereby notified that the deadlines and dates set in this order shall not be continued or extended unless the party seeking a continuance or extension makes a specific showing of good cause, or, in the case of the hearing date, a showing of extraordinary circumstances. No filing shall extend the deadlines set forth in this order without the prior approval of the Presiding Member.

2. **Applicable Rules.** The Rules of the Commission on Judicial Conduct (“Rules”) shall govern these proceedings. All references to time in the Commission’s order shall be computed in accordance with Rule 6(a), Arizona Rules of Civil Procedures.

3. **Correspondence, Filing and Exchange of Documents.** Correspondence and all original motions, pleadings or other legal documents required by this order or permitted by commission rules shall be filed

electronically with the Commission's clerk and served simultaneously on the other party by electronic mail.

4. **Recording Proceedings.** The hearing in these proceedings shall be recorded digitally using court recording software. If either party desires an official court reporter for the hearing, the fees and expenses of the court reporter shall be paid by the requesting party.

5. **Disclosure/Discovery.** All disclosure shall be completed in accordance with Rule 26, and the parties stipulate as follows:

a. **Initial Disclosure.** The parties have exchanged their initial disclosure as provided in Rule 26(a).

b. **Completion of Disclosure.** Pursuant to Rule 26(d), the duty to provide timely disclosure and discovery is ongoing, and both parties must supplement their initial disclosure exchanges in a timely manner.

6. **Joint Prehearing Statement.** Counsel for the parties shall confer before the prehearing conference to discuss and attempt to resolve in good faith, to the extent possible, all pending matters. Counsel for the parties shall prepare and file with the Commission clerk, **no later than Friday, August 26, 2022**, a joint prehearing memorandum setting forth the substance of all agreements reached; each party's position regarding each issue in dispute; each party's position on any pending discovery disputes; a final list of witnesses each party will call to testify at the hearing, together with a brief statement of each witnesses' expected testimony; a final list of exhibits that each party will offer at the hearing; any objection either party has to the witnesses and exhibits to be called or offered by the other party; the course and status of any settlement discussions; and any other issues the parties deem appropriate.

7. **Prehearing Conference.** The parties are directed to reserve **Thursday, September 1<sup>st</sup> at 1:00 p.m.** for a telephonic prehearing conference to discuss any unresolved issues and final preparation for the

hearing. In the Presiding Member's discretion, the conference may be canceled if it is determined the conference is unnecessary.

8. **Exhibits.** Exhibits that the parties intend to use at the hearing shall be delivered to the commission's office at least five (5) business days before the hearing. All exhibits must be pre-numbered, clearly labeled in the bottom right-hand corner as "Petitioner's" or "Respondent's" exhibits, and scanned as individual PDFs that can be emailed to the commission clerk.

9. **Hearing.** Notice also is given that a hearing on the Statement of Charges in this matter shall be held on **Wednesday, September 7, 2022**, starting at **9:00 a.m.** in the Arizona Courts Building, 1501 W. Washington St., Phoenix, Arizona, in Room 109. This is a firm hearing date, and absent extraordinary cause, no continuance will be granted. The parties should anticipate a roughly equal division of the allotted time for presentation of each party's case by direct or cross-examination, and any opening or closing remarks of counsel. It is also expected, absent a specific and compelling showing of good cause, that the hearing **will not exceed one day**, and the parties will be expected to manage their allotted time accordingly.

10. **Recommendations.** The parties are directed to submit proposed findings of fact and conclusions of law within **ten (10)** days after the hearing. Such proposals shall be filed with the commission's clerk. Consistent with Rule 28(a), the Hearing Panel's recommendations shall be filed within **fifteen (15)** days after receipt of the parties' proposed findings of fact and conclusions of law.

Dated this 7<sup>th</sup> day of June, 2022.

**FOR THE COMMISSION**

/s/ Michael J. Brown

Hon. Michael J. Brown

Presiding Hearing Panel Member



Copies of this order were electronically served this 7th day of June, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, Arizona 85007  
Telephone: (602) 452-3200

**FILED**

**MAY 10 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>ORDER SETTING HEARING</b>
Respondent	)	

---

**PLEASE TAKE NOTICE** that the undersigned presiding member of the hearing panel in the above-entitled case has determined that the formal hearing in this matter will be held on **Wednesday, September 7, 2022**, at the Arizona State Courts Building, 1501 W. Washington St., Room 109, Phoenix, AZ. The hearing will commence at **9:00 a.m.** Disciplinary Counsel and Respondent shall be prepared then to present argument, testimony, and other evidence concerning the conduct of the Respondent. The hearing will be electronically recorded.

Given the number of individuals who will be participating in this hearing (panel members, Disciplinary Counsel, Respondent, and witnesses), no request for a continuance will be granted absent extraordinary circumstances.

Dated this 10th day of May, 2022.

**COMMISSION ON JUDICIAL CONDUCT**

/s/ Michael J. Brown

Hon. Michael J. Brown

Presiding Hearing Panel Member

///

Copies of this document were electronically served this 10th day of May, 2022 to:

Hon. Adam W. Watters, Respondent  
Pima County Consolidated Justice Court

Ariel I. Worth, Disciplinary Counsel  
Commission on Judicial Conduct  
*aworth@courts.az.gov*

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

Ariel I. Worth (Bar # 018702)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *aworth@courts.az.gov*

**FILED**

**APR 26 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning )  
 ) Case Nos. 21-043  
**Judge Adam W. Watters** ) 21-048  
 ) 21-155  
Pima County Consolidated Justice Court ) 21-248  
State of Arizona )  
 ) **NOTICE OF SUBSTITUTION**  
Respondent ) **OF DISCIPLINARY COUNSEL**

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Notice is hereby given that Ariel I. Worth is substituted for Michael G. Devereaux as Disciplinary Counsel of record in this matter and enters her appearance in this matter.

Dated this 26th day of April, 2022.

**COMMISSION ON JUDICIAL CONDUCT**

---

Ariel I. Worth  
Disciplinary Counsel

A copy of this pleading was served on April 26, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

By: /s/ Ariel I. Worth  
Ariel I. Worth, Disciplinary Counsel

**FILED**

**MAR 03 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

1 Adam Watters. Esq.

2  
3 State Bar No.: 018184  
4 P.C.C. No.:65181  
5 Respondent

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )

) Judge Michael Brown, Presiding

) Cases No.: 21-043, 21-048, 21-248, 21-155

) **SUPPLEMENTAL RESPONSE TO**  
) **STATEMENT of CHARGES**

12 )  
13 )  
14 )  
15 Respondent incorporates all the facts and statements made in his initial Response to the  
16 Statement of Charges as if restated herein. This supplemental response is in compliance with the  
17 order of the Presiding judge allowing Respondent to file a more definitive statement, but should  
18 be read in conjunction with the original Response to Statement of Charges.

19 Respondent admits paragraphs 1-10 of the Statement of Charges.

20 Respondent denies paragraph 11. That is a misstatement of fact and does not accurately  
21 reflect the facts of Case16-007. At no time did Judge Watters ever belittle or demean any attorney.  
22 Instead, after appointing five attorneys to the Defendant’s case, and having each of them withdraw,  
23 the Defendant stated she wanted the judge to appoint her “advisory counsel.” Judge Watters  
24 declined and informed the Defendant he would not appoint someone to merely advise her or to  
25

1 perform a poor job. It is disconcerting that Commission Counsel has misstated the facts of that  
2 case when a recording of the hearing was sent to and is part of the Commission file.

3 Respondent admits paragraphs 12, 13 and 14.

4 Respondent denies paragraph 15, referring to Case 18-329. This, too, is a false misleading  
5 reading of the facts of that case. At no time was any information posted, printed, mailed or made  
6 public as part of Judge Watters' campaign regarding Anne Fisher Segal, that was misleading, false  
7 or inappropriate. Everything was completely truthful and accurate. Ms. Segal complained that a  
8 photograph of her had been "doctored" to cast her in a false light. That was proven wrong. The  
9 record will reflect that the Commission did not find anything inappropriate or false or inaccurate,  
10 but merely suggested that the political advertising might have been kinder and gentler.

11 Respondent admits paragraph 16, with the above caveat.

12 Respondent admits paragraph 17, but denies the accuracy of that Commission warning in  
13 Case 20-331. There was no "back door" transfer of a case and for Commission counsel to use  
14 such a term is misleading, prejudicial and intentionally inflammatory. Judge Watters was never  
15 given the opportunity to dispute the Warning, but denies that the "facts" stated in paragraph 17  
16 occurred. In fact, the case was transferred with the approval and authority of Pima County  
17 Presiding Judge Kyle Bryson, and was done so for good cause.

18 Respondent admits paragraphs 18-21, in part, but denies them as not providing a complete  
19 picture or description of events. They are accurate as to the limited facts contained therein, but  
20 Respondent incorporates paragraphs A through G of his initial Response to the Statement of  
21 Charges herein. Commission counsel's perfunctory Statement of Charges, if taken as they stand,  
22 if akin to reading the index to a book, and then trying to write a book report.

23 Respondent denies Paragraph 22.

24 Respondent admits Paragraphs 22 A and B, but denies Paragraph C as being an incomplete  
25 and misleading statement of facts.

1 Respondent denies Paragraphs 22 D and E for the following reasons: D is an incomplete  
2 statement of the facts and omits the details, addressed in the original Response to the Statement of  
3 Charges, that Fei Qin was observed throwing trash on the property, that his car was identified as  
4 the same that came to the Watters' home each day, and that his license plate was read by the  
5 Watters who knew it from the photos taken previously by their neighbor. Also, the inflammatory  
6 language used by counsel is misleading. Judge Watters was sitting, reading a history book, in a  
7 lawn chair in his front yard not "hiding."

8 Respondent admits Paragraphs 22, F and G.

9 Respondent denies Paragraph 22 H in that it misidentifies when Judge Watters actually  
10 began filming.

11 Respondent admits Paragraphs 23 A, C, D, F, G, H, I, J, K, M, N, and O.

12 Respondent denies Paragraph B. That is an absolutely false statement created out of  
13 nothing by attorney Grynkewich. At Mr. Fei Qin's trial, which led to his stalking conviction, it  
14 was proven to the jury that such was false. For further explanation, see Response to Statement of  
15 Charges paragraph K.

16 Respondent denies Paragraph 23 E as being incomplete and misleading.

17 The "commotion" mentioned so casually by Commission counsel was actually an assault  
18 made by Fei Qin on Judge Watters. See Paragraph I of the Response to Statement of Charges and  
19 Exhibit 6, showing Judge Watters arm injured when Qin struck him with the car door.

20 Respondent denies Paragraph 23L as an incomplete statement. See Response to Statement  
21 of Charges Paragraph M.

22 Respondent denies Paragraph 23P.

23 Respondent denies Paragraph 25 as incomplete. Fei Qin also appeared in front of Judge  
24 Watters on February 2, 2021 as a defendant in a domestic violence action.

25

1 Respondent denies Paragraph 26 as evidence existed that led the Watters family to surmise  
2 that the person stalking them had appeared in Pima County Justice Court. See Response to the  
3 Statement of Charges paragraph H.

4 Paragraph 27 is admitted as criminal charges were brought and Fei Qin was convicted of  
5 felony stalking. Qin was sentenced to 18months in prison.

6 Paragraphs 28 and 29 can be neither admitted nor denied as Respondent has no first-hand  
7 knowledge of this.

8 Paragraphs 30-32 are neither admitted nor denied as Respondent has insufficient  
9 information to respond.

10 Respondent denies violating Paragraphs 33, 34 and 35.

11 DATED March 3, 2022.

12  
13 Approved by:  
/s/ Adam W. Watters

14 Respondent  
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1 Adam Watters, Esq.

2  
3 State Bar No.: 018184  
4 P.C.C. No.:65181  
5 Respondent

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )  
12 )  
13 )  
14 )

Judge Michael Brown, Presiding

Cases No.: 21-043, 21-048, 21-248, 21-155

**CERTIFICATE OF SERVICE**

15 Respondent certifies that the Supplemental Response to Statement of Charges, and this  
16 certificate of service were filed this date via email to both Kim Welch, the clerk of the CJC and  
17 attorney Michael Devereaux, counsel for the CJC.

18 DATED Feb. 3, 2022.

19  
20 /s/ Adam W. Watters

21 Respondent  
22  
23  
24  
25

**FILED**

**FEB 24 2022**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>AMENDED ORDER</b>
Respondent	)	

---

The Commission has received the (1) Motion to Deem Allegations Admitted, or in the Alternative, Motion for More Definite Statement; and (2) Motion to Extend Discovery Deadline filed by Disciplinary Counsel. Respondent filed responses to both motions in which he agreed to file an amended response to the Statement of Charges that addresses the allegations on a more specific basis, and he stated he has no objection to extending the discovery deadline. The Commission also conducted a status conference with the parties to discuss these pending motions, as well as disclosure, discovery, and scheduling issues. After consideration,

**IT IS HEREBY ORDERED** granting the Motion for More Definite Statement.

**IT IS FURTHER ORDERED** denying the Motion to Deem Allegations Admitted as moot.

**IT IS FURTHER ORDERED** that Respondent shall file an amended response to the Statement of Charges within **five** days of the date of this Order, as computed under Arizona Rule of Civil Procedure 6(a).

**IT IS FURTHER ORDERED** that within **20** days after the filing of his amended response, Respondent shall disclose to Disciplinary Counsel the information set forth in Commission Rule 26.

**IT IS FURTHER ORDERED** that the parties shall participate in another status conference approximately **45** days after the filing of Respondent's amended response. The status conference will be scheduled in due course.

**IT IS FURTHER ORDERED** denying the Motion to Extend Discovery Deadline as moot.

Dated this 24th day of February, 2022.

/s/ Michael J. Brown

Hon. Michael J. Brown, Presiding Member

A copy of this amended order was served on February 24, 2022, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

*mdevereaux@courts.az.gov*  
Michael G. Devereaux  
*Disciplinary Counsel*  
Commission on Judicial Conduct

*aelliott@courts.az.gov*  
April P. Elliot  
*Executive Director of the Commission*  
Commission on Judicial Conduct

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT

FILED

FEB 24 2022

ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

Inquiry concerning )  
 ) Case Nos. 21-043  
**Judge Adam W. Watters** ) 21-048  
 ) 21-155  
Pima County Consolidated Justice Court ) 21-248  
State of Arizona )  
 ) **ORDER**  
Respondent )

---

The Commission has received the (1) Motion to Deem Allegations Admitted, or in the Alternative, Motion for More Definite Statement; and (2) Motion to Extend Discovery Deadline filed by Disciplinary Counsel. Respondent filed responses to both motions in which he agreed to file an amended response to the Statement of Charges that addresses the allegations on a more specific basis, and he stated he has no objection to extending the discovery deadline. The Commission also conducted a status conference with the parties to discuss these pending motions, as well as disclosure, discovery, and scheduling issues. After consideration,

**IT IS HEREBY ORDERED** denying granting the Motion for More Definite Statement.

**IT IS FURTHER ORDERED** denying the Motion to Deem Allegations Admitted as moot.

**IT IS FURTHER ORDERED** that Respondent shall file an amended response to the Statement of Charges within **five** days of the date of this Order, as computed under Arizona Rule of Civil Procedure 6(a).

**IT IS FURTHER ORDERED** that within **20** days after the filing of his amended response, Respondent shall disclose to Disciplinary Counsel the information set forth in Commission Rule 26.

**IT IS FURTHER ORDERED** that the parties shall participate in another status conference approximately **45** days after the filing of Respondent's amended response. The status conference will be scheduled in due course.

**IT IS FURTHER ORDERED** denying the Motion to Extend Discovery Deadline as moot.

Dated this 24th day of February, 2022.

/s/ Michael J. Brown  
Hon. Michael J. Brown, Presiding Member

A copy of this order was served on February 24, 2022, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

*mdevereaux@courts.az.gov*  
Michael G. Devereaux  
*Disciplinary Counsel*  
Commission on Judicial Conduct

*aelliott@courts.az.gov*  
April P. Elliot  
*Executive Director of the Commission*  
Commission on Judicial Conduct

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

1 Adam Watters, Esq.

**FILED**

**FEB 16 2022**

2 State Bar No.: 018184

3 P.C.C. No.:65181

4 Respondent

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )

) Judge Michael Brown, Presiding

) Cases No.: 21-043, 21-048, 21-248, 21-155

) **RESPONSE TO MOTION TO DEEM**  
) **CHARGES ADMITTED OR IN THE**  
) **ALTERNATIVE MOTION TO REQUIRE**  
) **MORE DEFINITIVE STATEMENT**

12 )  
13 )  
14 )  
15 Respondent believes that the lengthy, fact-filled Response to the Statement of Charges  
16 detailed the errors, omissions and false assertions found in that document. Included in that  
17 Response was the notice to this Commission that Respondent denies violating the ethical rules and  
18 Constitutional obligations that govern the judiciary; however Respondent would be glad to address  
19 on a paragraph, by paragraph basis the Statement of Charges as suggested by Commission counsel.

20 Therefore, with the permission of the Commission presiding judge, Respondent will file a  
21 paragraph by numbered paragraph response to the Commission's Statement of Charges, separately  
22 addressing each. Respondent would have promptly done so upon receiving this motion from  
23 Commission counsel, but believes that under the rules, it would be improper without permission.

24 Further, Respondent objects to this Court deeming the Statement of Charges as being  
25 deemed admitted. It was the intent of the Response to deny all the allegations of unethical and

1 improper conduct, including Rule 1.1, 1.2 and Article 6 Section 4 of the Arizona Constitution, and  
2 Respondent believes he has done so. Allegations may be deemed denied by stating that such are  
3 incomplete or misleading, as was done. Again, though, if the Commission requires a more  
4 definitive statement such will be produced, numbering each paragraph as demanded by  
5 Commission counsel.

6  
7 DATED Feb. 15, 2022.

8  
9 Approved by:  
10 /s/ Adam W. Watters

11  
12 Respondent  
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1 Adam Watters, Esq.

**FILED**

**FEB 16 2022**

2 State Bar No.: 018184

3 P.C.C. No.:65181

4 Respondent

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

5  
6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

) Judge Michael Brown, Presiding

9 vs. )

) Cases No.: 21-043, 21-048, 21-248, 21-155

10 Adam Watters, )

11 Respondent. )

**CERTIFICATE OF SERVICE**

12 )  
13 )  
14 )  
15 Respondent certifies that the Response to Motion to Deem Statement of Charges Admitted  
16 or in the Alternative to Order a More Definitive Statement and Response to Motion for Extension  
17 of Discovery of Charges, Exhibits Accompanying Response to Statement of Charges, and this  
18 certificate of service were filed this date via email to both Kim Welch, the clerk of the CJC and  
19 attorney Michael Devereaux, counsel for the CJC.

20 DATED Feb. 16, 2022.

21  
22 /s/ Adam W. Watters

23 Respondent  
24  
25



1 Adam Watters, Esq.  
2 6902 N. Solaz Tercero  
3 Tucson, Arizona 85718  
4 Tel/Fax: (520) 370-4497  
5 State Bar No.: 018184  
6 P.C.C. No.:65181  
7 Respondent

**FILED**

**FEB 16 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )  
12 )  
13 )  
14 )

Judge Michael Brown, Presiding

Cases No.: 21-043, 21-048, 21-248, 21-155

**RESPONSE TO MOTION TO EXTEND  
DISCOVERY DEADLINE**

15 Respondent has no objection to an extension of the deadline as requested by Commission  
16 Counsel.

17 DATED Feb. 15, 2022.

18 .  
19 Approved by:

/s/ Adam W. Watters

20 Respondent  
21  
22  
23  
24  
25

Michael G. Devereaux (Bar # 034131)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *mdevereaux@courts.az.gov*

**FILED**

**FEB 10 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>MOTION TO EXTEND</b>
Respondent	)	<b>DISCOVERY DEADLINE</b>

**Expedited Review Requested**

---

Disciplinary Counsel requests that discovery timeline set forth in Rule 26, Arizona Commission on Judicial Conduct Rules, be continued until the Commission rules on Disciplinary Counsel's Motion to Deem Allegations Admitted, filed February 10, 2022.

Disciplinary Counsel filed a Motion to Deem Allegations Admitted on February 10, 2022. Respondent will need time to respond to the motion and the Commission will need time to consider and rule on the requests. The motion directly relates to which allegations are at issue in this case. Disciplinary Counsel is not able to properly identify what witnesses, exhibits, and other discovery material are necessary until the motion is ruled upon.

Therefore, Disciplinary Counsel requests that both parties' Rule 26, 20-day discovery deadline, not begin until the Commission has considered and ruled upon the Motion to Deem Allegations Admitted.

///

Dated this 10th day of February, 2022.

COMMISSION ON JUDICIAL CONDUCT

~~Michael G. Devereaux  
Disciplinary Counsel~~

A copy of this pleading was served on February 10, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

By: /s/ Michael Devereaux  
Michael Devereaux, Disciplinary Counsel

Michael G. Devereaux (Bar # 034131)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *mdevereaux@courts.az.gov*

**FILED**

**FEB 10 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>MOTION TO DEEM</b>
Respondent	)	<b>ALLEGATIONS ADMITTED</b>
	)	<b>OR IN THE ALTERNATIVE,</b>
	)	<b>MOTION FOR MORE</b>
	)	<b>DEFINITIVE STATEMENT</b>

**Expedited Review Requested**

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For the reasons set forth below, Disciplinary Counsel respectfully requests this Commission deem admitted paragraphs 1-35, excluding paragraphs 15, 17, and 23(B) of Respondent Judge Watters' February 4, 2022 Response. In the alternative, Disciplinary Counsel requests Respondent be directed to file a more definitive response, admitting or denying each numbered paragraph of the Statement of Charges consistent with Rule 8(c)<sup>1</sup>, Ariz. R. Civ. Pro., within five (5) days.

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<sup>1</sup> Rule 8(c) states: (1) *Generally*. In responding to a pleading, a party must: (A) state in short and plain terms its defenses to each claim asserted against it; and (B) admit or deny the allegations asserted against it by an opposing party. (2) *Denials--Responding to the Substance*. A denial must fairly respond to the substance of the allegation. A denial does not fairly respond to the substance of an allegation if it: (A) answers an allegation by stating that "the document speaks for itself"; (B) answers an allegation by stating that the answering party "denies any allegations inconsistent with the language of a document"; or (C) answers a factual allegation, or an allegation applying law to fact, by claiming that it states a legal conclusion. (3) *General and Specific Denials*. A party who intends in good faith to deny

## MEMORANDUM OF LAW

The Commission is “responsible for administering the judicial discipline and incapacity system over all state and local judges.” *See* Preamble to the Rules of the Commission on Judicial Conduct. The Commission has the inherent power to interpret its rules as necessary for the administration of the judicial discipline system. Rule 24(a), Rules of the Commission on Judicial Conduct, requires that a statement of formal charges give the respondent judge, “full and fair notice of the allegations, consistent with the general civil practice of ‘notice pleadings.’” This is similar to the notice a civil litigant is required to provide her or his opposing party pursuant to the Rules of Civil Procedure.<sup>2</sup> Commission Rule 25(a) provides that a respondent judge has fifteen (15) days during which she or he may file a response to the statement of charges. If, however, the respondent judge does not file a response, “the factual allegations in the formal charges shall be deemed admitted.” *See* Commission Rule 25(d). The Commission Rules are silent on what constitutes a “response”.

On January 7, 2022, undersigned counsel filed a Statement of Charges consisting of 35 separately numbered paragraphs. On February 4, 2022, Respondent Judge Watters submitted his response. The “response” is silent on all separately numbered paragraphs of the Statement of Charges *except* paragraphs 15, 17 and

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all the allegations of a pleading--including the jurisdictional grounds--may do so by a general denial subject to the obligations provided in Rule 11(a). A party who does not intend to deny all the allegations must either specifically deny designated allegations or generally deny all except those specifically admitted. (4) *Denying Part of an Allegation*. A party who intends in good faith to deny only part of an allegation must admit the part that is true and deny the rest. (5) *Lacking Knowledge or Information*. A party who lacks knowledge or information sufficient to form a belief about the truth of an allegation must so state, and the statement has the effect of a denial. A party thus cannot deny an allegation “on information and belief.” Instead, it must either admit or deny an allegation if it has information sufficient to form a belief, or must instead state that it has insufficient information to form a belief about the truth of an allegation. (6) *Effect of Failing to Deny*. An allegation--other than one relating to the amount of damages--is admitted if a responsive pleading is required and the allegation is not denied. If a responsive pleading is not required, an allegation is considered denied or avoided.

<sup>2</sup> *See* Ariz. R. Civ. Pro. Rule 8(a) stating, “A pleading that states a claim for relief must contain: (1) a short and plain statement of the grounds for the court’s jurisdiction . . . ; (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought, which may include relief in the alternative or different types of relief.”

23(B). Respondent's response did not deny he violated Rules 1.1 and 1.2 of the Code of Judicial Conduct. Respondent's response did not deny he violated Article 6.1, Section 4 of the Arizona Constitution.

As set forth above, while the Commission Rules do not specifically address what constitutes a response, this Commission has the authority to make that determination. This Commission should decide that Respondent Judge Watters was or is required to file a response consistent with Rule 8(c), Ariz. R. Civ. Pro.

**Although Not Expressly Stated, the Commission Rules Contemplate  
Use of the Rules of Civil Procedure.**

The Commission Rules were not intended to be the entirety of the legal framework for formal hearings. Commission Rules 24-29 are the only rules that expressly address formal proceedings. These six rules do not address many of the matters that routinely occur before and during formal proceedings. For example, the Commission Rules include no instructions or guidelines regarding the proper form of pleadings, the deadlines for motions/responses, the use of the motions to preclude, and the use of trial practices such as opening statement and closing argument. It is reasonable to infer that the Commission Rules need to draw on the Rules of Civil Procedure as necessary to administer the judicial discipline system.

Here, Rule 24 expressly directed that the Statement of Charges be "consistent with the general civil practice of "notice pleading"". Rule 24 unambiguously draws on the Rules of Civil Procedure. It is reasonable that to the extent there arise questions about Commission Rules 24 or 25, the Commission Rules contemplated that practitioners and this Commission turn to the Rules of Civil Procedure for guidance.

**It is Good Policy to Require Respondents to Comply with Rule 8(c)  
Ariz. R. Civ. Pro. when Responding to Commission Actions.**

Commission Rule 24 requires a "notice pleading" so the respondent judge is aware of what she or he is being charged with. Similarly, it is good policy to require the responding judge to alert Disciplinary Counsel what allegations the respondent

agrees with, and which later may be stipulated to, as opposed to those the respondent intends to dispute. This clarity allows both disciplinary counsel and respondent to narrow the focus of what is truly at issue before the Commission.<sup>3</sup> It also helps create a clear record that will be transmitted to the Supreme Court.

**It is Consistent with Past Practice to Require a  
More Definitive Response.**

In reviewing the past eleven (11) formal proceedings held before this Commission<sup>4</sup>, the respondent judge filed a response in six (6) of those matters. Of those responses filed, all of them followed Rule 8(c), Ariz. R. Civ. Pro. and included a paragraph-by-paragraph response to the Statement of Charges.<sup>5</sup> The other five (5) cases in which no response was filed resulted in stipulated resolutions. In one of the matters, Case No. 11-259 (Parker), the judicial officer filed a letter instead of a formal response. The issue of whether or not this was a proper response was not adjudicated as the case resulted in a stipulated resolution shortly after the letter was filed with the Commission.

In addition, in Respondent's prior case in which formal charges were filed, Case No. 14-165, the Respondent filed a response that more closely abided by Rule 8(c), Ariz. R. Civ. Pro. *See Exhibit 1*. In that response, the Respondent partially addressed the Statement of Charges filed in that case. The Statement of Charges included twelve (12) separate alleged statements. The response directly admitted, denied, or addressed nine (9) of those statements.

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<sup>3</sup> Commission Rule 27(b) requires the presiding member of the hearing panel to conduct pre-hearing conferences to obtain admissions or narrow the issues presented by the pleadings. Thus, a more definite statement from Respondent is clearly required.

<sup>4</sup> Case Nos. 17-232 (Jantzen), 17-084 (Roberts), 17-019 (Aboud), 14-373 (Bravo), 14-219 (Segal), 14-216 (Grodman), 14-114 (Sully), 12-177 (Cornelio), 11-259 (Parker), 11-245 (Pearce), and 11-111 (Woolbright).

<sup>5</sup> It is worth noting the Commission Rules have not changed during this period. The vagueness of the word "response" always existed, but this is the first time a respondent judge who elected to file a response, has done so without following the allegation-by-allegation model.

**Respondent Watters' was on Notice the Commission would Require a  
More Definitive Response.**

Respondent Judge Watters is a Justice of the Peace who regularly presides over civil matters. This judicial experience provides him knowledge of civil answers and specifically, that civil litigants are required to admit or deny each paragraph of a complaint. Further, Respondent Watters is law trained. Prior to serving as a judge, he had a private civil practice. Without question as a prior civil practitioner, Respondent knew the requirements of Rule 8(c), Ariz. R. Civ. Pro. Respondent has also demonstrated his understanding of the requirements of Rule 8(c), Ariz. R. Civ. Pro. in his prior case (14-165) before the Commission in which he more closely abided by Rule 8(c), Ariz. R. Civ. Pro.

**CONCLUSION**

Respondent, as a law trained judge with prior experience as a civil practitioner knew, or should have known that those paragraphs not denied would be deemed admitted. Respondent expressly denied paragraphs 15, 17 and 23(B) of the Statement of Charges. Respondent failed to deny any other paragraph of the Statement of Charges. Respondent's failure renders all remaining paragraphs of the Statement of Charges admitted. Disciplinary Counsel respectfully requests this Commission deem admitted all paragraphs of the Statement of Charges other than Paragraphs 15, 17, and 23(B). Alternatively, the undersigned respectfully requests that Respondent be given five (5) days<sup>6</sup> to provide a response consistent with Rule 8(c) Ariz. R. Civ. Pro.

///

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<sup>6</sup> The undersigned makes this request where Respondent Judge Watters has already had one extension of time to file his response and where the interests of justice weigh in favor of expediting resolution of this matter.



Dated this 10th day of February, 2022.

COMMISSION ON JUDICIAL CONDUCT

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Michael G. ~~Devereaux~~  
Disciplinary Counsel

A copy of this pleading was served on February 10, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

By: /s/ Michael Devereaux  
Michael Devereaux, Disciplinary Counsel

# EXHIBIT 1

**FILED**

**MAR 23 2015**

ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

1 Adam Watters,

2 Judge,

3 vs.

4 Anne Fisher Segal,

5 Complainant.

Case No.: 14-165

RESPONSE TO STATEMENT OF  
CHARGES

6  
7  
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9  
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11  
12 Adam Watters does hereby respond to the Statement of Charges filed March 6,  
13 2015.

14 Jurisdiction.

15 Respondent does not dispute paragraphs 3 through 4 of the Statement.

16 Factual Background

17 Respondent admits paragraphs 5 and 6.

18 Respondent agrees in part with paragraph 7, but asserts that at no time did he  
19 place any information on his firm's website and asserts that he was unaware that the  
20 photo showing him wearing a robe was on the website until the day it was removed.

21 Respondent admits paragraphs 8-10.

22 Respondent asserts, in response to paragraph 11, that the photo was on the  
23 website for at most three weeks, and that the day Respondent discovered the photo  
24 was posted, he requested that such be removed and it was and that such was  
25

1 removed prior to any knowledge Respondent had of the written complaint made by  
2 Anne Segal to this Commission.

3 Respondent asserts that he did not violate Rule 1.3 of the Code of Judicial  
4 Conduct nor did he violate Article 6.1, Section 4 of the Arizona Constitution.

5 Respondent requests that the Commission deny the relief requested by  
6 disciplinary counsel and, in the alternative dismiss the complaint in its entirety or  
7 issue a private admonition and/or warning to the Respondent.

8 Under Rule 19, the Commission may consider the following:

- 9
- 10 a) The nature, extent, and frequency of the misconduct. Respondent asserts  
11 that he was unaware of the photo being placed on his firm's website, that  
12 the photo was published for less than a month, and that the day he  
13 discovered the photo was being published on the website, he took direct  
14 action to have it removed.
- 15 b) The judge's experience and length of service on the bench. Respondent has  
16 been an active and part-time justice of the peace in Pima County for 14  
17 years. Pima County's justice court is the second-busiest court in Arizona.  
18 During that time Respondent, and despite having heard an estimated  
19 10,000 cases, Respondent has received no complaints regarding his  
20 conduct as a judge.
- 21 c) Whether the conduct occurred in the judge's official capacity or private life.  
22 The photo, which was taken when the Respondent was a full-time judge  
23 in 2008, was placed on the website by a well-meaning family member.  
24 The Respondent asserts that the act was not in his official capacity as he  
25 was unaware of the photo.

1 d) The nature and extent to which the acts of misconduct injured other persons  
2 or respect for the judiciary. The photo was up for at most three weeks. It  
3 is unlikely, given that the firm website is rarely visited, that more than a  
4 handful of people noticed the photo, if indeed anyone did so other than  
5 Anne Segal, who at the time was involved in a political campaign against  
6 the Respondent.

7 e) Whether and to what extent the judge exploited his or her position for  
8 improper purposes. Respondent asserts that when he determined to run  
9 for office, in early April prior to the photo being published, he stopped  
10 eliciting or retaining any new clients. Respondent did this recognizing  
11 that to take new clients during the campaign would be possibly  
12 disadvantageous to those clients. Therefore, the photo in no way aided  
13 the Respondent financially or personally. Respondent's law partner, the  
14 person who later placed the photo on the site, knew he had decided not to  
15 take new clients when the photo was published.

16 f) Whether the judge has recognized and acknowledged the wrongful nature  
17 of the conduct and manifested an effort to change or reform the conduct. As  
18 stated above, Respondent, upon notification that the photo had been  
19 placed on the website, immediately had it removed and recognizes the  
20 impropriety of the use of such a photo to promote a business or law  
21 practice. The photo was actually placed not to elicit business or promote  
22 the Respondent as an attorney, but, instead, was placed to announce that  
23 Respondent was running for office. The first page of the website made  
24 such an announcement.  
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g) Whether there has been prior disciplinary action concerning the judge, and if so, its remoteness and relevance to the present proceeding. **Respondent has never been disciplined and has never received any complaints.**

h) Inapplicable

i) Whether the judge cooperated fully and honestly with the commission in the proceeding. **Respondent asserts that he has fully cooperated, but that is a matter for disciplinary counsel to agree with or dispute.**

j) Inapplicable.

DATED THIS 20th day of March, 2015.

/sAdam Watters

\_\_\_\_\_  
Adam Watters, Justice of the Peace, Pima County  
Signed electronically

**FILED**

**FEB 04 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

1 Adam Watters. Esq.

2 State Bar No.: 018184

3 P.C.C. No.:65181

4 Respondent

5  
6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )

) Judge Michael Brown, Presiding

) Cases No.: 21-043, 21-048, 21-248, 21-155

) **RESPONSE TO STATEMENT OF**  
) **CHARGES**

12 )  
13 )  
14 )  
15 This is Judge Watters' response to the charge brought by Commission counsel. Judge  
16 Watters is asking that the Commission consider the facts of this matter and dismiss the Statement  
17 of Charges.

18 First, the errors and omissions made by Commission counsel in the Statement of Charges  
19 must be addressed. Then the charges themselves.

20 Missing from the Statement of Charges is the following pertinent information:

21 A) Mr. Fei Qin stalked Judge Watters and his family for two weeks from February 2, 2021  
22 until February 14, 2021, committing sundry acts of violence, trespass, destruction and  
23 terror. On December 15, 2021, a Pima County jury convicted Qin of Felony Stalking,  
24 a Class 5. (Exhibit 1, Minute entry of conviction)

- 1 B) On January 6, 2021 the Superior Court judge presiding over the trial sentenced Mr. Qin  
2 to the presumptive 18 months of prison allowed under the conviction of a Class 5  
3 felony. (Exhibit 2, KOLD news article) At sentencing the judge deemed Mr. Qin to  
4 not be a candidate for probation due in part to the nature of the crime, and in large part  
5 due to Qin's obvious disregard for courtroom protocol and the judiciary, including his  
6 refusal to stand for the judge and jury throughout the trial, his general demeanor and  
7 his playing of video games on his phone during the trial.
- 8 C) Qin is a disbarred attorney, who lost his license to practice when suspended by the  
9 Supreme Court of Colorado after being convicted for domestic violence. Qin assaulted  
10 his wife and child – chunks of her hair was found on the wall – and used a knife in  
11 committing his crime. (Exhibit 3 Supreme Court of Colorado ruling)
- 12 D) Qin's only links with the Watters family were his two appearances before Judge  
13 Watters: The first on January 16, 2021 as the landlord in an eviction action; the second  
14 on February 1, 2021 as a defendant accused of domestic violence against his parents.  
15 The Watters family, until Qin was arrested at their home, did not know if their daughter,  
16 a county felony prosecutor, or Mrs. Watters, the niece of Supreme Court Justice Sandra  
17 Day O'Connor, were the targets of the stalking behavior.
- 18 E) Missing from the Statement of Charges is the fact that on the day Qin was arrested at  
19 the Watters family home, he was armed with a large knife (Exhibit 4, police photo of  
20 knife in the car) and a rifle scope (Exhibit 5, police photo). The knife, through forensic  
21 testing, was proven at trial to be the same 12-inch blade used to slash the tires at the  
22 Watters' home. It is believed he used the rifle scope to spy out the Watters family and  
23 home.
- 24 F) Omitted from the all-to-brief summary of facts listed by Commission counsel is that on  
25 Friday, February 12, 2021, Qin was watched by neighbors walking on the Watters'



1 property. Judge Watters was on the phone with his wife that day when she said, “My  
2 God, my God, he’s walking up the driveway.” As Judge Watters testified at trial, his  
3 wife’s phone went silent. She was calling 911, but he did not know what was happening  
4 at his home. Fearing the worst, he rushed home, after calling 911 himself, to discover  
5 deputies present, but that Qin was gone. Qin was at the Watters’ home for about 20  
6 minutes that day, scouting out the premises, walking onto and around the property (his  
7 vehicle was hidden down the street).

8 G) On February 12 and 13<sup>th</sup>, 2021, a neighbor took photos of Qin’s vehicle, the license  
9 plate of the vehicle and partial, although not clear, photos of Qin driving the vehicle at  
10 the judge’s home. On both those days, Qin was observed dumping trash on the  
11 property. As stated above, Qin spent time lurking on the property on Feb. 12. Those  
12 photos were provided to police.

13 H) In addition to twice slashing all four tires on the judge’s truck, Qin daily threw trash on  
14 the Watters’ property. The trash-throwing was a regular occurrence, in that it happened  
15 every day between noon and 1:30 p.m. On February 12, the trash included mail  
16 addressed to the tenant Qin attempted to evict in Watters’ court on January 16 (see  
17 above). Qin’s fingerprints and credit cards receipts were also found on or with the trash.  
18 It was later discovered that Qin terrorized the tenant who appeared in Watters’ court,  
19 and that after that failed eviction, all four of her tires were slashed as well.

20 I) Judge Watters was injured on February 14, 2021 when Qin violently and intentionally  
21 opened his car door striking the judge as Watters attempted to photograph the stalker.  
22 (Exhibit 6, police photo)

23 J) In addition to throwing trash onto the Watters’ property and assaulting Judge Watters  
24 on February 14, 2021, Qin was trespassing on private property. The road on which the  
25

1           Watters' home is located is private and well-marked with no-trespassing signs. Qin  
2           had to deviate a quarter-mile off the main highway to reach the Watters home.

3           K) It is a false statement that Judge Watters attempted to hinder or halt or confront Qin on  
4           February 14, 2021. (See 23(B) of the Commission Statement of Charges) The evidence  
5           at trial showed this to be false as does the video. Judge Watters remained on the side  
6           of the road, not the center and as the video shows, at no time did he ask or demand that  
7           Qin halt. At no time did Judge Watters "block the suspect's vehicle's path." For  
8           Commission counsel to so state is reckless and follows the false defamatory narrative  
9           stated by defense counsel Mr. Grynkewich. Indeed, the very next statement, (23(C)  
10          Commission Statement) indicating that Qin slowed down and stopped next to Judge  
11          Watters, belies the above false claim that judge Watters sought to confront Qin.

12          L) When Qin appeared on February 14, he was observed throwing trash onto the property.  
13          Judge Watters instructed his daughters, who watched as Qin dumped trash, to call 911,  
14          which they instantly did.

15          M) Omitted from the Statement of Charges is that Qin exited the vehicle. As shown at  
16          trial, Judge Watters had not pulled his gun out or shown it until Qin suddenly stepped  
17          from the vehicle. Judge Watters stepped back and demanded that Qin sit down. At  
18          trial, the undisputed evidence was that Qin refused to sit down, and then suddenly  
19          lunged at the judge. To save himself from further injury, the judge fired a shot directly  
20          into the ground. Photos obtained by Commission counsel show that the bullet fired by  
21          Judge Watters struck the ground right near the edge of the road, due to the fact that  
22          Judge Watters had twice stepped back or retreated from Qin before firing the shot.

23                 N) Commission counsel's summaries of two advisories issued to Judge Watters  
24                 are inaccurate and misleading. In case 20-331, a Warning was issued to the judge for  
25                 transferring a case – according to Commission counsel – in a "back door" manner. That

1 is an improper statement. Nothing about the transfer was hidden. The case was  
2 discussed and transferred with the approval and agreement of Pima County Superior  
3 Court Presiding Judge Kyle Bryson. Frankly, it was concerning to those involved in  
4 the matter that such approval was disregarded by the Commission, but to state such a  
5 false claim in the Statement of Charges is unconscionable. Further, in case 18-329,  
6 nothing ever published by the judge during the campaign against Anne Segal was false  
7 or misleading. Everything stated or published about Segal and her history as a judge  
8 was dead-on truthful and accurate.

9 The fact is, after two weeks of tormenting and terrorizing the Watters family, Mr. Qin was  
10 caught in the act of committing felony stalking at the Watters' home. Qin was not there, as he  
11 claimed, to be casually driving by or shopping for a home. Qin was there to continue terrorizing  
12 the family. And the video taken by the judge proved Qin was present.

13 Although photos taken by neighbors showed the license plate of Qin's car, and partially  
14 showed Qin, the evidence was still unclear as to who was daily committing crimes against the  
15 family. Judge Watters, having extensive training and experience with stalking behavior (he is the  
16 presiding judge of Pima County's domestic violence court) knew that the suspect's stalking  
17 behavior was escalating. (See paragraph F above). The sheriff had been called at least nine times  
18 to the Watters' home, yet the Watters were advised that the vehicle was registered to a woman,  
19 and that without a clear photo of the driver, nothing more could be done. At that point, on February  
20 12th and again on the 13th, after Qin was again partially photographed at the home and was  
21 observed dumping trash, Judge Watters determined that he would try and take a photo of the person  
22 who was terrorizing his family to provide to the sheriff.

23 That was the judge's only objective on February 14: To secure a photo of the stalker. At  
24 no point did Judge Watters try and stop or confront Qin. Indeed, Mr. Grynkewich's false, self-  
25 serving statement that the judge pointed his weapon at Qin and ordered him to stop, was proven

1 false at trial. Witnesses testified that did not happen, plus, it would be almost physically impossible  
2 for the judge to steadily hold a camera in one hand and a pistol in the other as he is disabled by  
3 Parkinson's on his left side. As stated at trial, Judge Watters was "shocked and surprised" when  
4 Qin stopped next to the judge on the roadway. Then, Qin violently and intentionally opened the  
5 car door and struck the judge. That is why the video goes askew. In fact, that the video exists at  
6 all is because the judge took it to obtain evidence against the stalker. It was never the judge's  
7 intent to have a direct confrontation with Qin, but that changed when the judge was assaulted. At  
8 that point, as Judge Watters testified at trial, it was important that Qin not flee yet again. Because  
9 his arm was struck by the car door, Judge Watters was unsure if he even then had a photograph of  
10 Qin. He was also concerned that Qin might attack his daughters, who were nearby. After being  
11 assaulted, the judge did curse and order Qin to get out of the car. Judge Watters testified that he  
12 was stalling for time as he knew 911 had been called.

13         When Qin exited the vehicle, the judge stepped back. Then, Qin stepped to within arms'  
14 reach of the judge, who stepped back again and fired a warning shot. He did not point the weapon  
15 at Qin, nor did he try and shoot the suspect. Judge Watters did not even remove the pistol from  
16 his pocket until Qin stepped out of the vehicle. As Watters testified at trial, he realized that Qin  
17 was a much younger, fitter man than he, and he was afraid that Qin would produce a knife (it was  
18 clear that the tires had been slashed with a knife and the weapon was discovered within easy reach  
19 inside the car) or try to wrest the gun from him, so the judge fired the shot to prevent further  
20 physical assault.

21         Seconds later, a deputy arrived and Qin was taken into custody.

22         Mr. Grynkewich, who filed two complaints against the judge, was defense counsel for Qin.  
23 That defense lawyer made numerous false, defamatory public statements against the judge and his  
24 family. For whatever twisted reason, Grynkewich publicly stated he was out to "get" Judge  
25 Watters. He then proceeded to make false claims in the local media, such as the lie that Judge

1 Watters held a gun on his client and forcibly stopped Qin in the road. That defamatory statement  
2 is found in the complaint he filed with this Commission. Grynkewich told dozens of local  
3 attorneys that the judge and members of the Watters family were liars, and he indicated just days  
4 before trial that the State had offered Watters “immunity” for his testimony. That of course was  
5 false.

6 Grynkewich filed a complaint with the Bar against Judge Watters’ daughter, stating she  
7 was fired by the county attorney’s office due to the arrest of Qin and her presence there that day.  
8 That false statement is the subject of a defamation lawsuit against the local daily newspaper as it  
9 is *per se* defamatory, yet Grynkewich stated it as fact and sought to question her at Qin’s trial about  
10 her “termination.” The Bar summarily dismissed Grynkewich’s complaint.

11 Many members of the local Bar approached Judge Watters, who has never commented to  
12 the news media about the Qin matter, indicating that Grynkewich had “lost his way” and had  
13 become obsessed with destroying Watters through defending the case. It became apparent that  
14 Grynkewich viewed the case as his opportunity to make a name for himself. Indeed, Grynkewich  
15 would notify local media when hearings were set by the court in the Qin case.

16 On the evening he was served with Grynkewich’s subpoena, Watters was aware that  
17 numerous false unprofessional statements had been made about him and his family by defense  
18 counsel. Indeed, Judge Watters had been advised by other members of the judiciary to file a formal  
19 complaint regarding Grynkewich’s erratic and openly hostile behavior but he refrained until the  
20 trial was completed. The judge was also aware that Grynkewich was trying to elicit testimony from  
21 Watters by filing a frivolous motion, claiming that Watters was acting as a *de facto* police officer  
22 when Qin was arrested.

23 That motion, by the way, was summarily dismissed by the court at hearing.  
24  
25

1 Judge Watters was confronted at night at his home by a process server. Perhaps he should  
2 not have used foul language when describing Grynkewich and the stalker, but given the assault on  
3 his family made by both of them, it was certainly excusable.

4 The question for this Commission is simple: Is a judge entitled to less protection and less  
5 right to protect his or her family, home and person than anyone else? Is a judge – either male or  
6 female - to be censured, suspended or removed from elected office because he or she stopped  
7 someone from committing further acts of aggression and criminality against the judicial officer?  
8 Is a judge to be disciplined when no crime was committed and no ethical breach to be found by  
9 that judge?

10 Judge Watters should not be further tormented by the felonious actions taken by Qin. He  
11 is the victim of a serious felony, and the actions he took were all taken to stop a criminal from  
12 stalking him and committing further outrages against him and his family. With crime on the  
13 increase, and in particular with judges being increasingly targeted by those appearing in their  
14 courts, disciplining a justice who stopped a felon in the act of committing crimes would undermine  
15 the safety and well-being of the judiciary.

16 DATED Feb. 4, 2022.

17  
18 Approved by:

/s/ Adam W. Watters

19 Respondent  
20  
21  
22  
23  
24  
25

EXHIBIT 1

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. THOMAS FINK

CASE NO. CR20210439-001

COURT REPORTER: Debora Moore  
Courtroom - 583

DATE: December 15, 2021

STATE OF ARIZONA

Brian M McIntyre, Esq. counsel for State

VS.

FEI QIN (-001)  
Defendant

Jeffrey P Grynkewich, Esq. counsel for Defendant

---

**MINUTE ENTRY**

---

**JURY TRIAL FINAL DAY**

9:06 AM Defendant is present, out of custody. Victims are present.

The Court and counsel settle jury instructions and forms of verdict

IN THE PRESENCE OF THE JURY:

The Court instructs the jury regarding the law that must be applied in this case. The jury is given a copy of the Court's Final Jury Instructions for its use during deliberations.

Counsel make closing arguments to the jury.

The clerk is directed to select two (2) alternate jurors. Juror Nos. Six and Five are selected by lot as the alternate jurors, admonished, and excused with the thanks of the Court, subject to recall.

10:55 AM The jury retires to consider its verdict under the charge of the law clerk/bailiff, Eric Kolsrud, who was first duly sworn for that purpose.

IT IS ORDERED that all exhibits admitted into evidence shall be given to the jury for its use during deliberations.

IT IS ORDERED that all non-admitted exhibits, except for any preserved exhibits, shall be released to respective counsel.

OUT OF THE PRESENCE OF THE JURY:

10:57AM Court stands at recess.

1:43 PM Court resumes. Defendant, counsel, and same court reporter are present.

IN THE PRESENCE OF THE JURY:

The jury announces through its foreperson that they have reached verdicts in this case.

\_\_\_\_\_  
R. De Jesus  
Deputy Clerk



MINUTE ENTRY

Page 2

Date: December 15, 2021

Case No.: CR20210439-001

---

The clerk is directed to read and enter the verdicts into the record.

The jury finds the Defendant GUILTY of the offense of STALKING, as alleged in COUNT ONE of the Indictment.

The clerk inquires of the jurors whether these are their verdicts and the verdicts of each of them, and so say they all.

At the request of Mr. Grynkewich, the clerk polls the jury.

The admonishment is lifted and the jury is thanked for its services and discharged.

Mr. McIntyre withdraws the State's request for aggravation phase.

IT IS ORDERED that a Presentence Report be prepared by the Adult Probation Department. Defendant is directed to cooperate with the Adult Probation Department in the preparation of the presentence report.

Counsel argue conditions of release.

For reasons set forth on the record,

IT IS ORDERED that the Defendant's current conditions of release are affirmed.

IT IS ORDERED that Sentencing is set on January 12, 2022, at 10:00 AM, in Division A58.

The Defendant is advised of the next hearing date and of the consequences should he fail to appear.

IT IS ORDERED that State's Exhibits #21 through 56 and 58 shall be released to the arresting agency.

FILED IN COURT: Jury List; Preliminary Jury Instructions; Final Jury Instructions; Verdict; Stipulation and Order Re: Release of Exhibits; Sentence Notification Form; Jury Questions During Trial

cc: Hon. Thomas Fink  
Brian M McIntyre, Esq.  
Jeffrey P Grynkewich, Esq.  
Michael W. Storie, Esq.  
Adult Probation  
Case Management Services - Criminal  
Pretrial Services

\_\_\_\_\_  
R. De Jesus  
Deputy Clerk

EXHIBIT 2

ADVERTISEMENT

## Tucson landlord sentenced after stalking local judge



Fei Qin was convicted and sentenced to more than a year in prison after stalking a local judge. (KOLD News 13)

By KOLD News 13 Staff

Published Jan. 12, 2022 at 3:07 PM MST



TUCSON, Ariz. (KOLD News 13) — A Tucson landlord was recently sentenced to prison after he stalked a Pima County Justice Court judge and his family for two weeks last year.

Fei Qin was sentenced to 1.5 years in prison, with 20 days credited for time served, and ordered to pay \$1,715 in restitution.

Authorities charged Qin with stalking after he routinely dumped garbage on the lawn of judge Adam Watters and slashed the tires of his family's truck. Qin reportedly did this after Watters refused to evict some tenants that had fallen behind on rent.

Though the Pima County Sheriff's Department increased patrols in the area, the garbage dumping continued around noon each day. A neighborhood had photographed the car involved, a gray Subaru driven by a man.

ADVERTISEMENT

On Feb. 14, the judge and his two daughters hid in the front lawn and waited. Once Qin showed up, Watters emerged with his phone recording video and confronted him. Qin stopped his car in front of the judge, and Watters demanded that he get out and show his hands.

Qin reportedly lunged at Watters before he fired a warning shot into the ground. Deputies arrived at the scene moments later.

Qin was arrested and charged with stalking, while Watters was placed on paid administrative leave for two weeks.

Because of Watters' position, a judge from Santa Cruz County presided over the trial and sentencing and a prosecutor was brought in from Cochise County.

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EXHIBIT 3

***People v. Fei Qin***. 16PDJ017. August 26, 2016.

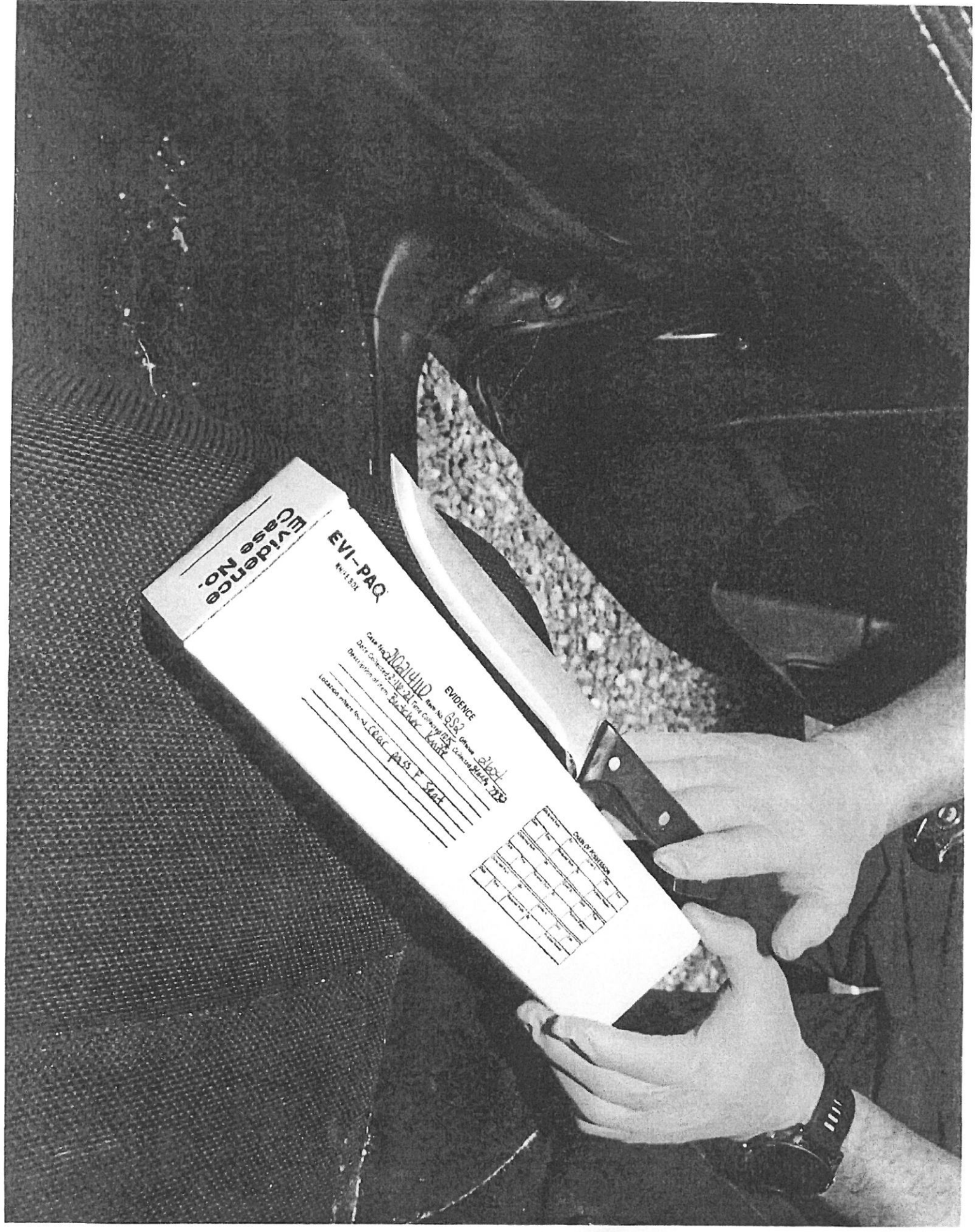
A hearing board suspended Fei Qin (attorney registration number 48461) from the practice of law for three months, effective September 30, 2016.

In September 2015, Qin physically assaulted his wife during an argument. While his wife was holding their son, who was almost two years old, Qin lost his temper and grabbed his wife's pajama top. The garment ripped, leaving a gaping hole. He also tore out some of her hair. Qin's wife ran upstairs to the bathroom, where she locked the door and called the police. Qin followed her and opened the bathroom door with a knife. At the time, the couple's other two children, aged four and six, were also at home.

Qin pleaded guilty to a class-two misdemeanor offense of child abuse, knowingly or recklessly – no injury, and a class-one misdemeanor offense of assault in the third degree. That conduct violated Colo. RPC 8.4(b), which provides that it is professional misconduct for a lawyer to commit a criminal act reflecting adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects.

Please see the full opinion below.

EXHIBIT 4



Evidence Case No.

EVI-PAQ  
EVIDENCE

Case No. 200214110 EVIDENCE  
Date Collected 12-12-01 Item No. SS2 Other 21001  
Description of Item BUCKLE Containing 220  
Location where found 1435 F St

Date/Time/Initials/Signature			
Date	Time	Initials	Signature

EXHIBIT 5



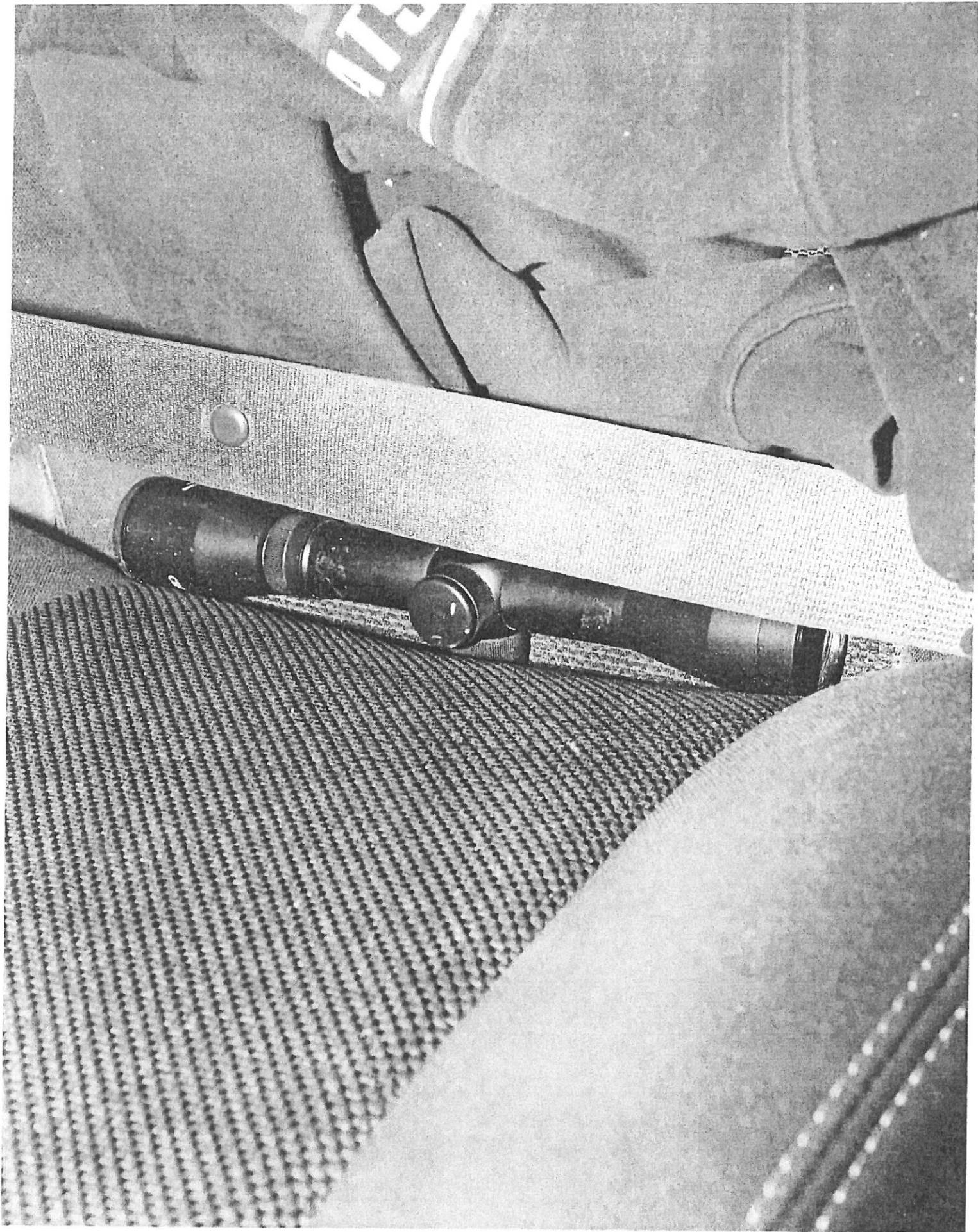
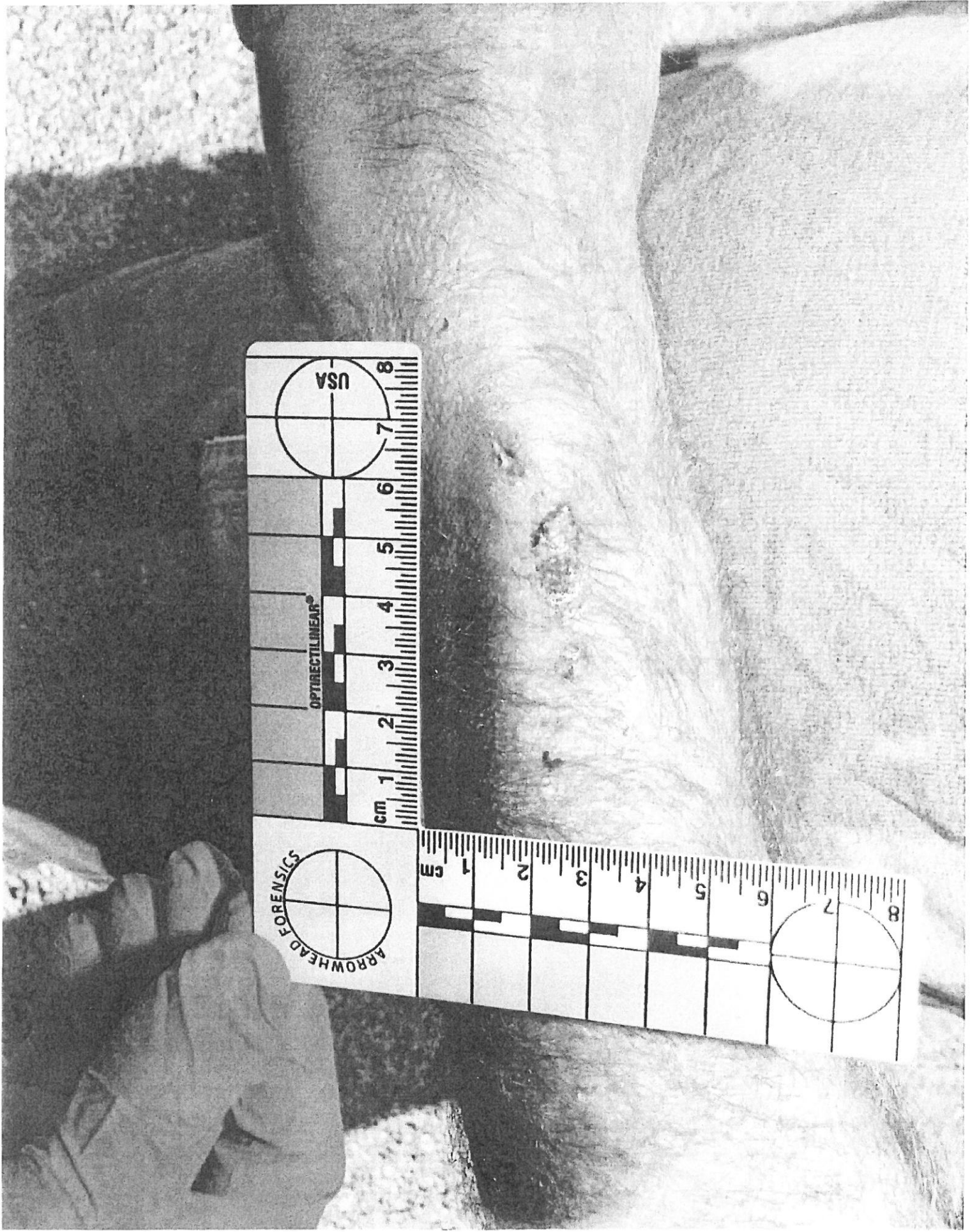


EXHIBIT 6



USA

OPTIRECTILINEAR®

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ARROWHEAD FORENSICS

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1 Adam Watters, Esq.

**FILED**

**FEB 04 2022**

2 State Bar No.: 018184

3 P.C.C. No.:65181

4 Respondent

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )

) Judge Michael Brown, Presiding

) Cases No.: 21-043, 21-048, 21-248, 21-155

) **CERTIFICATE OF SERVICE**

12 )  
13 )  
14 )  
15 Respondent certifies that the Response to Statement of Charges, Exhibits Accompanying  
16 Response to Statement of Charges, and this certificate of service were filed this date via email to  
17 both Kim Welch, the clerk of the CJC and attorney Michael Devereaux, counsel for the CJC.

18 DATED Feb. 4, 2022.

19  
20 /s/ Adam W. Watters

21 Respondent

**FILED**

**JAN 20 2022**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>ORDER</b>
Respondent	)	

---

Respondent having filed his Motion for Extension of Time to Respond, good cause being shown, and there being no objection, it is hereby ordered that Respondent's time to file the Response is extended from Monday, January 24, 2022, to and including Monday, February 7, 2022.

Dated this 20th day of January, 2022.

/s/ Michael J. Brown  
Hon. Michael J. Brown, Hearing Panel Chair

///

A copy of this order was served on January 20, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

A copy of this order was hand-delivered on January 20, 2022, to:

Michael G. Devereaux  
*Disciplinary Counsel*  
Commission on Judicial Conduct

By: /s/ Kim Welch  
Kim Welch, Commission Clerk



Michael G. Devereaux (Bar # 034131)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *mdevereaux@courts.az.gov*

**FILED**

**JAN 20 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>RESPONSE TO</b>
Respondent	)	<b>RESPONDENT'S REQUEST</b>
	)	<b>FOR EXTENSION OF TIME</b>

---

Disciplinary Counsel has received and reviewed the Respondent's Motion for Extension of Time to Respond, filed January 20, 2022. Respondent requests an additional 14 days in order to file his response.

Disciplinary Counsel does not object to the Respondent's request.

Dated this 20th day of January, 2022.

COMMISSION ON JUDICIAL CONDUCT

~~Michael G. Devereaux~~  
Disciplinary Counsel

A copy of this pleading was served on January 20, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

By: /s/ Michael Devereaux  
Michael Devereaux, Disciplinary Counsel



1 Adam Watters. Esq.

**FILED**

**JAN 20 2022**

2 State Bar No.: 018184

3 P.C.C. No.:65181

4 Respondent

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

Judge Michael Brown, Presiding

9 vs. )

Cases No.: 21-043, 21-048, 21-248, 21-155

10 Adam Watters, )

**MOTION FOR EXTENSION OF TIME  
TO RESPOND**

11 Respondent. )

12 )  
13 )  
14 )  
15 Respondent requests additional time to respond to the charges brought by the Commission  
16 as related to the above case numbers. This request is not made for purposes of undue delay but is  
17 necessary due to the unusual circumstances of this matter, i.e., a felony trial was only recently  
18 completed regarding the man who physically attacked the Respondent and stalked him and  
19 members of his family. Sentencing of the stalker, Mr. Fei Qin, occurred on Jan. 12, 2022 and  
20 resulted in Mr. Qin being sent to the Department of Corrections for 18 months. It is evidence from  
21 that trial which Respondent believes is necessary to provide the Commission, including  
22 information that will correct statements alleged in the charging document. That information  
23 includes some trial exhibits, such as photos showing injuries to the Respondent caused by Mr. Qin,  
24 and the knife used by Mr. Qin, as well as a portion of the transcript from the proceedings.  
25 However, Respondent has not been able to secure those items at this time, but has a good faith

1 belief he will be able to do so within the next 14 calendar days. It has been difficult to obtain the  
2 information in part due to the protections provided the Defendant Mr. Qin, i.e., a Cochise County  
3 Prosecutor prosecuted the matter and a Santa Cruz County Judge presided over the trial. Therefore,  
4 Respondent requests that he be granted two additional weeks to respond. This is certainly a short  
5 delay, particularly given that the allegations are based on events from a year ago, and is necessary  
6 for Respondent to fairly and fully respond to the panel and the Commission.

7  
8 DATED Jan. 20, 2022.

9  
10 /s/ Adam W. Watters

11 Respondent  
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1 Adam Watters, Esq.

2 State Bar No.: 018184

3 P.C.C. No.:65181

4 Respondent

5  
6 **ARIZONA COMMISSION ON JUDICIAL CONDUCT**

7 Commission on Judicial Conduct , )

8 Complainant, )

9 vs. )

10 Adam Watters, )

11 Respondent. )

) Judge Michael Brown, Presiding

) Cases No.: 21-043, 21-048, 21-248, 21-155

) **CERTIFICATE OF SERVICE**

12 )  
13 )  
14 )  
15 Respondent certifies that the Motion for Extension of Time to Respond, and this certificate  
16 of service were filed this date via email to both Kim Welch, the clerk of the CJC and attorney  
17 Michael Devereaux, counsel for the CJC.

18 DATED Jan. 20, 2022.

19  
20 /s/ Adam W. Watters

21 Respondent  
22  
23  
24  
25

Michael G. Devereaux (Bar # 034131)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *mdevereaux@courts.az.gov*

**FILED**

**JAN 19 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>NOTICE OF FILING</b>
Respondent	)	

---

Disciplinary Counsel requests that the Commission take notice of two emails (Attachment 1 and Attachment 2) in which Respondent, Judge Adam Watters, accepted electronic service of the following documents:

1. Notice of Institution of Formal Proceedings, filed January 7, 2022, and
2. Statement of Charges, filed January 7, 2022.

Dated this 19th day of January, 2022.

COMMISSION ON JUDICIAL CONDUCT

---

Michael G. Devereaux  
Disciplinary Counsel

A copy of this pleading was served on January 19, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

By: /s/ Michael Devereaux  
Michael Devereaux, Disciplinary Counsel

# ATTACHMENT 1

**From:** [Devereaux, Michael](#)  
**To:** [Elliott, April](#); [Weich, Kimberly](#)  
**Subject:** FW: Case Nos. 21-043, 21-048, 21-155, and 21-248 (Watters) -- Electronic Service  
**Date:** Thursday, January 6, 2022 3:54:46 PM

---

**From:** Adam Watters  
**Sent:** Thursday, January 6, 2022 3:47 PM  
**To:** Devereaux, Michael <[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)>  
**Subject:** Re: Case Nos. 21-043, 21-048, 21-155, and 21-248 (Watters) -- Electronic Service

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes.

Sent from Yahoo Mail. [Get the app](#)

On Wednesday, January 5, 2022, 04:20:01 PM MST, Devereaux, Michael <[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)> wrote:

Just to clarify, you will accept electronic service to correct?

Thank you.

Michael Devereaux

**From:** Adam Watters <[adam.watters@courts.az.gov](mailto:adam.watters@courts.az.gov)>  
**Sent:** Wednesday, January 5, 2022 3:59 PM  
**To:** Devereaux, Michael <[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)>  
**Subject:** Re: Case Nos. 21-043, 21-048, 21-155, and 21-248 (Watters) -- Electronic Service

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will accept service.

Sent from Yahoo Mail. [Get the app](#)

On Wednesday, January 5, 2022, 12:33:07 PM MST, Devereaux, Michael <[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)> wrote:

Good Afternoon Judge Watters,

On December 3, 2021, the Commission sent you an email with a letter attached. The letter, among other things, requested that you let us know if you are willing to accept service by electronic mail. We have not heard from you, so I wanted to reach out directly before we hire a process server. With that in mind, will you accept service by electronic mail? Please let me know by close of business **tomorrow, January 6, 2022**. If I have not heard from you by that time, we will hire a process server and have you served.

Thank you.

Michael Devereaux

Staff Attorney

Arizona Commission on Judicial Conduct

1501 W. Washington St., Suite 229

Phoenix, AZ 85007

602-452-3200

[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)



# ATTACHMENT 2

**From:** [Adam Watters](#)  
**To:** [Devereaux, Michael](#)  
**Subject:** Re: CJC Case Nos. 21-043, 21-048, 21-155, and 21-248 (Watters)  
**Date:** Wednesday, January 19, 2022 8:16:12 AM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for the information. I already accepted service and have acknowledged receiving the charge in a previous email.

Sent from Yahoo Mail. [Get the app](#)

On Tuesday, January 18, 2022, 04:05:18 PM MST, Devereaux, Michael <mdevereaux@courts.az.gov> wrote:

Good Afternoon Judge Watters,

I wanted to make sure that you have this information before the end of the day. If you are requesting more time to file your formal response, that will need to be through a formal motion filed with the Commission's clerk Kim Welch, who I have copied on this email. The motion will then be sent to Judge Michael Brown who is the presiding member for the formal case. Unfortunately, I do not have the same authority as I had prior to the filing of formal charges to grant such requests.

In addition, we have not received your acceptance of service pleading. Would you please give me an update on if you have sent that?

As always, I am happy to discuss this further.

Michael Devereaux

Staff Attorney

Arizona Commission on Judicial Conduct

1501 W. Washington St., Suite 229

Phoenix, AZ 85007

602-452-3200

[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)

**From:** Devereaux, Michael  
**Sent:** Tuesday, January 18, 2022 7:09 AM  
**To:** Adam Watters  
**Cc:** Welch, Kimberly <[kwelch@courts.az.gov](mailto:kwelch@courts.az.gov)>  
**Subject:** RE: CJC Case Nos. 21-043, 21-048, 21-155, and 21-248 (Watters)

Good Morning Judge Watters,

Are you requesting additional time to file your acceptance of service, your response, or both? How much additional time are you requesting?

Michael Devereaux

Staff Attorney

Arizona Commission on Judicial Conduct

1501 W. Washington St., Suite 229

Phoenix, AZ 85007

602-452-3200

[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)

**From:** Adam Watters  
**Sent:** Monday, January 17, 2022 11:25 AM  
**To:** Devereaux, Michael <[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)>  
**Subject:** Re: CJC Case Nos. 21-043, 21-048, 21-155, and 21-248 (Watters)

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am requesting additional time to respond. I am attempting to obtain trial exhibits and partial transcripts from the conviction and sentencing of Fei Qin. However, the court reporter has been in and is still involved in a jury trial and I have not received that information yet. I would appreciate the extra time as some of the information sent to me was not accurate.

Adam Watters

Sent from Yahoo Mail. [Get the app](#)

On Friday, January 7, 2022, 02:39:14 PM MST, Devereaux, Michael <[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)> wrote:

Good Afternoon Judge Watters:

I have attached an Acceptance of Service for the pleadings filed earlier today. Please print the Acceptance of Service, sign it, and then either send it back via regular mail, or scan it and return it via email. Please do this on or before close of business, Friday, January 14, 2022.

If you have any questions concerning this matter, please do not hesitate to contact me.

Michael Devereaux  
Staff Attorney  
Arizona Commission on Judicial Conduct  
1501 W. Washington St., Suite 229  
Phoenix, AZ 85007  
602-452-3200  
[mdevereaux@courts.az.gov](mailto:mdevereaux@courts.az.gov)

**FILED**

**JAN 12 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

Michael G. Devereaux (Bar # 034131)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
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Telephone: (602) 452-3200  
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**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>RECORD OF APPOINTMENT</b>
Respondent	)	<b>OF HEARING PANEL</b>

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Acting pursuant to Rules 3(f) and 27(a) of the Rules of the Commission, Judge Louis Frank Dominguez, Chair of the Commission, hereby appoints Judge Michael J. Brown to serve as the presiding member of the hearing panel in the above-entitled proceeding, and designates the following as members of the panel: Roger D. Barton, Barbara Brown, Michael J. Brown, Colleen E. Concannon, Louis Frank Dominguez, Joseph C. Kreamer, Christopher P. Staring, and J. Tyrrell Taber.

Dated this 12th day of January, 2022.

FOR THE COMMISSION

/s/ Louis Frank Dominguez  
Hon. Louis Frank Dominguez  
Commission Chair

///

A copy of this pleading was served on January 12, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

A copy of this pleading was hand-delivered on January 12, 2022, to:

Michael G. Devereaux  
Disciplinary Counsel  
Commission on Judicial Conduct

By: /s/ Kim Welch  
Kim Welch, Commission Clerk

April P. Elliott (Bar # 016701)  
Executive Director  
Arizona Commission on Judicial Conduct  
1501 West Washington Street, Suite 229  
Phoenix, AZ 85007  
Telephone: (602) 452-3200  
Email: *aelliott@courts.az.gov*

**FILED**

**JAN 07 2022**

**ARIZONA COMMISSION ON  
JUDICIAL CONDUCT**

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>NOTICE OF INSTITUTION</b>
Respondent	)	<b>OF FORMAL PROCEEDINGS</b>

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**To Judge Adam Watters:**

You are hereby notified that the Commission on Judicial Conduct has instituted formal proceedings against you in accordance with Rule 24 of the Rules of the Commission on Judicial Conduct (“Rules”) to inquire into the charges specified in the attached Statement of Charges. You are also notified that a hearing will be held before the Commission to determine whether these charges constitute grounds for judicial discipline as provided in Article 6.1, § 4, of the Arizona Constitution and the Rules.

You are further notified that:

1. Michael G. Devereaux, Attorney at Law, will act as disciplinary counsel for the Commission in this matter, to gather and present evidence before the Commission on the charges.
2. You have the right, pursuant to Rule 25(a), to file a written response to the charges made against you within 15 days after personal or electronic service of

this notice upon you, or within 20 days of the date this notice is mailed. An original signed copy of the response must be filed in the Commission's office by 5:00 p.m. on the required date.

3. Upon receipt of your response, or upon expiration of the time in which a response may be filed, the Commission will open and maintain a public file containing the Notice of Institution of Formal Proceedings, the Statement of Charges, and all subsequent pleadings filed with the Commission. This file and the formal hearing in this case shall be open to the public in accordance with Rule 9(a).

4. You have the right to be represented by counsel, to examine and cross-examine witnesses and to require the issuance of subpoenas for the attendance of witnesses or for the production of any evidentiary matters necessary for your defense.

Dated this 7th day of January, 2022.

**COMMISSION ON JUDICIAL CONDUCT**

*April P. Elliott*

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April P. Elliott  
Executive Director

A copy of this pleading was served on January 7, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

A copy of this pleading was hand-delivered on January 7, 2022, to:

Michael G. Devereaux  
*Disciplinary Counsel*  
Commission on Judicial Conduct

By: /s/ Kim Welch  
Kim Welch, Commission Clerk



Michael G. Devereaux (Bar # 034131)  
Disciplinary Counsel  
Arizona Commission on Judicial Conduct  
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**FILED**  
JAN 07 2022  
ARIZONA COMMISSION ON  
JUDICIAL CONDUCT

**STATE OF ARIZONA  
COMMISSION ON JUDICIAL CONDUCT**

Inquiry concerning	)	
	)	Case Nos. 21-043
<b>Judge Adam W. Watters</b>	)	21-048
	)	21-155
Pima County Consolidated Justice Court	)	21-248
State of Arizona	)	
	)	<b>STATEMENT OF CHARGES</b>
Respondent	)	

---

Pursuant to Commission Rule 24(a), Disciplinary Counsel hereby files this Statement of Charges against Justice of the Peace Adam W. Watters (hereafter Respondent) setting forth the Commission's jurisdiction and specifying the nature of his alleged judicial misconduct.

**JURISDICTION**

1. The Commission on Judicial Conduct (hereafter Commission) has jurisdiction of this matter pursuant to Article 6.1, § 4 of the Arizona Constitution and the Rules of the Commission.

2. This Statement of Charges is filed pursuant to Rule 24(a) of those rules (Commission Rules).

3. Respondent was serving in his capacity as a judge at all times relevant to these allegations. Respondent's history of service as a judge in Pima County is as follows:

- Part-time justice of the peace, late 2000 or early 2001 through May 6, 2008;

- Full-time justice of the peace, May 6, 2008 through December 31, 2008;
- Part-time justice of the peace, January 1, 2009 through December 31, 2014;
- Full-time justice of the peace, January 1, 2015 to present.

4. As a judge, Respondent is subject to the Arizona Code of Judicial Conduct (Code) as set forth in Supreme Court Rule 81.

#### **PRIOR DISCIPLINE**

5. Closed files pertaining to discipline of Respondent may be referred to and used by the Commission or by Respondent for the purpose of determining the severity of the sanction, a pattern of misconduct, or exoneration of the judge pursuant to Commission Rule 22(e).

6. Consistent with the requirements of Commission Rule 22(e), undersigned Disciplinary Counsel (Counsel) notified Respondent on Friday, December 3, 2021 that his prior disciplinary history, as set forth below, may be so used.

#### **Case No. 14-165, Public Reprimand**

7. Respondent appeared in a photograph on his law firm's website in a judicial robe and advertised himself on the website as an active part-time judge pro tem in the Arizona court system.

8. The Commission issued a public reprimand, noting this was an abuse of the prestige of the judicial office to advance his own personal and/or economic interests in violation of Rule 1.3 of the Code.

#### **Case No. 15-118, Warning**

9. It was discovered that Respondent had not removed the photograph discussed in CJC Case No. 14-165 from his former law firm's website.

10. The Commission issued a warning to Respondent to ensure that his former law firm eliminated any reference to the judge as a member of the firm, and remove his name from the firm's name.

**Case No. 16-007, Advisory**

11. After appointing an attorney to serve as advisory counsel for a defendant, the Respondent stated that he did not want the attorney doing a “half-assed” job representing the defendant.

12. The Commission issued an advisory against the use of such language.

**Case No. 16-105, Warning**

13. Respondent’s name continued to appear on his former law firm’s website.

14. The Commission issued a warning citing to Rule 1.3, Arizona Code of Judicial Conduct (ACJC).

**Case No. 18-329, Advisory**

15. Respondent posted campaign material regarding his opponent that was inaccurate, inappropriate, and misleading.

16. The Commission issued an advisory reminding the Respondent to be more aware of how the public perceived his campaign material.

**Case No. 20-331, Warning**

17. The Commission issued a warning to Respondent for violating Rule 1.2, ACJC, for the appearance of impropriety, after he was involved in transferring a civil matter to an out-of-county judge in a back door manner.

**FACTUAL BACKGROUND – DISCHARGE OF FIREARM**

18. On or about February 2, 2021, Respondent began noticing trash on his property.

19. From February 2, 2021 to February 14, 2021, Respondent and his family observed almost daily instances of trash being placed on their property.

20. On or about February 5, 2021 and February 11, 2021, the Respondent’s vehicle’s tires were found slashed.

21. Based upon what the Respondent, the Respondent’s family, and the Respondent’s neighbors had observed, the Respondent believed: (1) that the same suspect had committed or was involved in all of these actions, (2) that the suspect drove

the same gray vehicle each time, and (3) that the suspect ordinarily dumped the trash on the Respondent's property around noon each day.

22. On or about February 14, 2021, the Respondent waited in a partially hidden location for the suspect.

- A. Respondent armed himself with a handgun.
- B. Respondent's two daughters were also present, also waiting on the property.
- C. Respondent's oldest daughter was armed with a shotgun.
- D. At 11:45 a.m., Respondent's daughter's saw the suspect in a gray vehicle, and called 911.
- E. The suspect drove past where the Respondent was hiding.
- F. The road by Respondent's residence ends in a cul-de-sac.
- G. After turning around, the suspect again drove past the Respondent's residence, where Respondent was now standing in plain sight of the road.
- H. At that point, Respondent began filming, using his cell phone's camera.

23. The video shows:

- A. The suspect's vehicle on the road, approaching the Respondent.
- B. The Respondent moves into the roadway, blocking the suspect's vehicle's path.
- C. The suspect slows down and stops his vehicle next to Respondent.
- D. Respondent states, "what are you doing asshole?"
- E. There is a commotion, in which the phone moves and nothing can be observed.
- F. Respondent states, "what are you doing motherfucker?"
- G. Respondent states, "I'm gonna blow your fucking head right off, get out of the car...get out of the car or I'm gonna blow your head off."
- H. Respondent then commands the suspect to, "sit right there...sit on the fucking ground."

- I. The suspect asks if the Respondent is going to shoot him and states, “go ahead shoot me.”
  - J. Respondent states, “get on the ground or I’m going to... get on the fucking ground.”
  - K. The suspect starts to state, “I don’t have...”
  - L. At that point, Respondent fired his handgun.
  - M. Respondent continued to tell the suspect to, “get on the ground.”
  - N. The suspect states, “I don’t have to get on the ground.”
  - O. Respondent states, “yeah you do motherfucker, I’m going to shoot your fucking head right off.”
  - P. Another similar exchange occurs and the video ends.
24. The suspect’s identity was later determined to be Fei Qin.
25. Respondent had presided over an eviction matter, in which Mr. Qin had been the plaintiff.
26. Respondent was not aware of the connection between himself and Mr. Qin on February 14, 2021.
27. Criminal charges were brought against Mr. Qin for his conduct towards the Respondent.
28. The incident was reviewed by the Pinal County Attorney’s Office regarding the Respondent’s actions.
29. To date, the Pinal County Attorney’s Office has declined to prosecute the Respondent for any of his actions on February 14, 2021.

**FACTUAL BACKGROUND – INTERACTION WITH PROCESS SERVER**

30. On or about October 20, 2021, a process server, Adam Kichler, served the Respondent with a subpoena to appear for a hearing in Mr. Qin’s criminal matter.
31. Mr. Kichler recorded the interaction with the Respondent.
32. During the recording:
- A. The Respondent referred to Mr. Qin’s attorney, Jeffrey Grynkewich, Esq., as an “asshole.”

- B. The Respondent said, “fuck him,” in reference to Mr. Qin.
- C. The Respondent said, “this is horseshit,” in reference to the subpoena.
- D. The Respondent identified himself as a judge.

### **VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT**

Respondent’s conduct, described above in paragraphs 18-32, violated the following provisions of the Code, the Arizona Constitution, and Arizona Law. Specifically:

33. Rule 1.1 of the Code, which states, “A judge shall comply with the law, including the Code of Judicial Conduct.

34. Rule 1.2 of the Code, 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 or the appearance of impropriety.”

35. Article 6.1, Section 4 of the Arizona Constitution, which forbids a judge to engage in conduct that is prejudicial to the administration of justice that brings the judicial office into disrepute.

### **REQUESTED RELIEF**

WHEREFORE, Disciplinary Counsel hereby requests that a duly appointed Commission Hearing Panel find Respondent in violation of the Code and Arizona Constitution, as alleged above; recommend to the Supreme Court that Respondent be censured, suspended, or removed from judicial office; that attorney fees and costs be assessed against Respondent pursuant to Commission Rule 18(e); and that the hearing panel or court grant such other relief as it deems appropriate.

///

Dated this 7th day of January, 2022.

COMMISSION ON JUDICIAL CONDUCT

\_\_\_\_\_  
Michael G. Devereaux  
Disciplinary Counsel

A copy of this pleading was served on January 7, 2022, upon Respondent, via email, to:

Hon. Adam W. Watters  
Pima County Consolidated Justice Court

A copy of this pleading was hand-delivered on January 7, 2022, to:

Michael G. Devereaux  
*Disciplinary Counsel*  
Commission on Judicial Conduct

By: /s/ Kim Welch  
Kim Welch, Commission Clerk