

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF GEORGIA

**FILED IN OFFICE**  
September 28, 2021  
*Lin C. Milton*  
**SUPREME COURT OF GEORGIA**

*In re:* Inquiry Concerning  
**Judge Christina Peterson**

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Complaint No(s). 2021-103, 2021-104,  
2021-155

**FORMAL CHARGES**

The Judicial Qualifications Commission (“JQC”) Investigative Panel (“IP”) initiated and conducted Full Investigations regarding allegations of misconduct against Judge Christina Peterson (“Judge Peterson”) of the Probate Court of Douglas County. Pursuant to JQC Rule 17, the IP concluded that Formal Charges should be filed for the purpose of determining whether Judge Peterson has violated the Code of Judicial Conduct, and if so, whether she has committed willful misconduct in office, exhibited habitual intemperance, and whether her conduct is prejudicial to the administration of justice such that it brings the judicial office into disrepute.

Accordingly, Director Charles Boring (“the Director”) files the below Formal Charges with the JQC Hearing Panel pursuant to JQC Rule 19 and requests that proceedings be instituted for the purpose of determining whether Judge

Peterson's conduct constitutes violations of the Code of Judicial Conduct, and if so, the appropriate sanction.

## **I. INTRODUCTION**

1.

Judge Peterson has repeatedly violated the Code of Judicial Conduct by failing to establish, maintain, and enforce high standards of conduct, failing to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, and failing to respect and comply with the law. Judge Peterson's disregard for the ethical rules which should guide and govern her conduct began when she was a practicing attorney and has continued through her judicial tenure. During her brief judicial tenure, Judge Peterson has failed to perform her judicial and administrative duties competently, failed to cooperate with other judges and court officials in the administration of court business, and continues to fail to respect and comply with the law.

## **II. JURISDICTION**

2.

Judge Peterson was admitted to the State Bar of Georgia in 2013. From the time she was admitted to the State Bar of Georgia until being sworn-in as a judge, Judge Peterson was a practicing attorney. At all times in which she has been admitted to practice law in the State of Georgia and a member of the State Bar of

Georgia, Judge Peterson has been subject to the Georgia Rules of Professional Conduct (“GRPC”). To the extent that Judge Peterson’s conduct implicates the GRPC, the JQC has concurrent jurisdiction with the State Bar of Georgia. See JQC Rule 2, Commentary [1].

3.

Judge Peterson qualified to run for the office of Probate Court Judge of Douglas County on March 5, 2020.

4.

Judge Peterson won the primary election on June 9, 2020. Judge Peterson had no opposition for the general election and thus won the seat on November 3, 2020. Judge Peterson was sworn-in as the Probate Court Judge of Douglas County or about December 29, 2020. At all times in which she has been a judicial candidate or a judge, Judge Peterson has been subject to the Canons and Rules of the Code of Judicial Conduct and the laws of the State of Georgia.

5.

To the extent that any alleged misconduct occurred prior to Judge Peterson taking office as a judge, the JQC has jurisdiction over that alleged misconduct. See Article VI, Section VII, Paragraphs VII (a) and VI of the Georgia Constitution of 1983; O.C.G.A. § 15-1-21; Georgia Code of Judicial Conduct, Preamble and Scope, Application, and Terminology; and JQC Rules 1 and 2 (B).

6.

Judge Peterson's office and courtroom are located at the Douglas County Courthouse at 8700 Hospital Drive, in Douglasville, Georgia.

### III. FACTS

#### Procedural Background

7.

In March 2021, the JQC received Complaint No. 2021-103 in reference to Judge Peterson. The Director initiated a Preliminary Investigation pursuant to JQC Rule 17 (A) and the Investigative Panel subsequently authorized a Full Investigation pursuant to JQC Rule 17 (B) (3). Judge Peterson submitted a written response to the Investigative Panel in May 2021. The Investigative Panel then found that there was reasonable cause to believe that the allegations which formed the basis of the Complaint constituted continuing violations of the Georgia Rules of Professional Conduct and the Code of Judicial Conduct. As such, the Director was instructed to draft and file Formal Charges.

8.

In March 2021, the JQC initiated Complaint No. 2021-104 in reference to Judge Peterson. The Director initiated a Preliminary Investigation pursuant to JQC Rule 17 (A) and the Investigative Panel subsequently authorized a Full Investigation pursuant to JQC Rule 17 (B) (3). Judge Peterson submitted a written

response to the Investigative Panel in May 2021. The Investigative Panel then found that there was reasonable cause to believe that the allegations which formed the basis of the Complaint constituted violations of the Code of Judicial Conduct. As such, the Director was instructed to draft and file Formal Charges.

9.

In April 2021, the JQC initiated Complaint No. 2021-155 in reference to Judge Peterson. The Director initiated a Preliminary Investigation pursuant to JQC Rule 17 (A) and the Investigative Panel subsequently authorized a Full Investigation pursuant to JQC Rule 17 (B) (3). Judge Peterson submitted a written response to the Investigative Panel in June 2021. The Investigative Panel then found that there was reasonable cause to believe that the allegations which formed the basis of the Complaint constituted violations of the Code of Judicial Conduct. As such, the Director was instructed to draft and file Formal Charges.

### **Facts Underlying Formal Charges**

#### **Complaint No. 2021-103**

10.

On February 1, 2017, in her capacity as a practicing attorney, Judge Peterson filed a lawsuit on her own behalf against her homeowner's association, Silver Creek Ranch Homeowners Association, Inc., ("HOA") in the Superior Court of Douglas County, Case No. 17-CV-00193.

11.

Afterward, Judge Peterson asked members of her HOA to join in her lawsuit against the HOA and told them she would represent them free of charge, but if they wanted to donate to help her with legal expenses, they could send her money on PayPal.

12.

On March 14, 2017, in her capacity as a practicing attorney, Judge Peterson filed a second lawsuit against the HOA (“second HOA lawsuit”) in the Superior Court of Douglas County, Case No. 17-CV-00544. In total, there were ten Plaintiffs to the second HOA lawsuit, including Judge Peterson and nine of her neighbors.

13.

On December 8, 2017, Douglas County Superior Court Judge Cynthia Adams issued an Order in the second HOA lawsuit granting the Plaintiffs’ Motion for Interlocutory Injunction.

14.

On or about December 20, 2017, Judge Peterson became the new President of the HOA.

15.

On or about December 28, 2017, approximately nine months after filing the

second HOA lawsuit, Judge Peterson sent a letter to opposing counsel with a settlement offer. Judge Peterson demanded \$70,000.00 for settlement of the case and advised that “this letter constitutes our demand to pay in the amount of \$70,000.00 for damages. This amount includes combined damages for all Plaintiffs for reimbursement of payment of improper fines, recovery for loss of use of rights, pain and suffering, and Plaintiffs litigation costs.” Judge Peterson’s settlement offer also advised that upon settlement for \$70,000.00, the Plaintiffs would dismiss the lawsuit with prejudice.

16.

Judge Peterson failed to promptly explain or disclose the details of the above-referenced settlement offer with each of her Plaintiff-clients.

17.

On or about January 31, 2018, Judge Peterson sent another letter to opposing counsel which outlined the damages she was requesting, including her “litigation expenses to date” which she claimed were \$49,909.00.

18.

On February 2, 2018, opposing counsel informed Judge Peterson that the insurer for the Defendants, Nationwide Insurance (“Nationwide”) agreed to settle the case for \$70,000.00.

19.

Judge Peterson confirmed the terms of the settlement to opposing counsel and settled the case without consent from each of her Plaintiff-clients.

20.

When asked by opposing counsel whether Nationwide should disburse settlement funds to each Plaintiff individually or send Judge Peterson the entire \$70,000.00 settlement check, Judge Peterson directed him to send the entire check to her.

21.

At 2:16 p.m. on Monday, February 5, 2018, Judge Peterson received an email from opposing counsel containing a proposed dismissal with prejudice and a comment that “Nationwide is sending the settlement check today.”

22.

The settlement check was issued by Nationwide Insurance on February 5, 2018.

23.

At 3:09 p.m. on Monday, February 5, 2018, Judge Peterson sent an email to her Plaintiff-clients stating, in pertinent part: “Thank you all for your patience with this lawsuit. Our case will be settled by the end of this week.”



24.

Upon receipt of the settlement funds from Nationwide, Judge Peterson did not promptly notify each of her Plaintiff-clients.

25.

At or about 3:28 p.m. on February 6, 2018, Judge Peterson dismissed the second HOA lawsuit, Case No. 17-CV-00544, in the Superior Court of Douglas County with prejudice.

26.

On or about February 28, 2018, some of Judge Peterson's Plaintiff-clients received documents detailing the settlement in the second HOA lawsuit in their mailboxes. The documents were delivered to the Plaintiff-clients anonymously.

27.

The Plaintiff-clients that received these documents in their mailboxes had not previously been provided with, or seen, documents detailing the settlement in the second HOA lawsuit.

28.

At 1:25 p.m. on Monday, March 5, 2018, Judge Peterson sent an email to her Plaintiff-clients stating the following:

There is an HOA meeting tomorrow at 7pm. As you know we have settled the case. I need you all to sign a release and waiver before we may credit your account. If

you owed invalid fines, we will credit those fines. If you paid fines, you will received [sic] that money back. Everyone will receive an additional \$150; however, if you owe money to SCR, that money will be applied to your account; if you do not owe money, you will be issued a check. I will have the form to sign tomorrow at the HOA meeting. Let me know if you have any questions.

29.

Between March 6, 2018, and March 8, 2018, Judge Peterson failed to respond to reasonable requests for information regarding the settlement details of the second HOA lawsuit made by a Plaintiff-client.

30.

To date, Judge Peterson and has failed to promptly distribute settlement funds to each of her former clients.

Complaint No. 2021-104

31.

Judge Peterson attended the New Judge Orientation (“NJO”) Training in Athens, Georgia during the week of December 7, 2020. The Council of Probate Judges of Georgia assisted in organizing and planning the NJO Training.

32.

On February 28, 2021, only nine days after she appeared in front of the

Investigative Panel in reference to Case No. S21Z1297,<sup>1</sup> and two months after attending the NJO Training, Judge Peterson sent an email to JQC Staff which stated:

For several years I have served as an Adoptive and Foster Parent Association of Georgia (AFPAG) Advocate. I do not serve in this capacity as a lawyer or nor do I give legal advice; only a civilian advocate for foster parents as all other AFPAG advocates are non-lawyers. I assist foster parents with the process of filing grievances against DFCS and I am present at some hearings and/or investigations in which DFCS conducts on the foster family. I also assist with training foster families on how to care for neglected and abused children at annual conferences. See <http://www.afpag.net/what-we-do/>. Mr. Boring presented at the December NJO training and I did not get to ask him if this would be a violation of the code. However, when we were going over the Judicial Code at NJO training and I asked in the open training forum if my continuation as an AFPAG advocate would be acceptable, I was told by the Probate Council that it was not a violation and that I may continue serving. However, I wanted to inquire with the JQC whether my participation in AFPAG as a volunteer advocate is acceptable. Please advise.

33.

On March 3, 2021, the Director responded to Judge Peterson, letting her know that JQC Staff would look at the issue and get back to her by the following

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<sup>1</sup> Formal Charges related to Complaint Nos. 2020-280, 2020-316, 2020-317, 2020-525, and 2021-017 were filed with the JQC's Hearing Panel on July 22, 2021. They were assigned Case No. S21Z1297 and are currently pending in front of the Hearing Panel.

week. He advised Judge Peterson that JQC Staff may have some follow-up questions for her.

34.

On March 4, 2021, the Director followed-up with Judge Peterson and inquired about who she spoke with at the Probate Council about the advocacy service issue she raised.

35.

On that same date, Judge Peterson responded with the following:

I asked at the training amongst all my peers. Melanie Bell was the instructor on the course on ethics in which I directed my question to. However, other Judges chipped in and agreed it was no issue. To clarify when I said “I assist foster parents with the process of filing grievances against DFCS and I am present at some hearings and/or investigations in which DFCS conducts on the foster family,” I am not involved in the drafting, writing, or filing of any grievance. We are not authorized to do so. I just advise the foster parents how to get the forms and where to submit them, advise them of the different grievance levels, and refer foster parents to their protections under the Foster Parent Bill of Rights.

36.

Follow-up inquiry by JQC Staff revealed that during the question-and-answer portion of the ethics presentation at the NJO Training in December 2020, Judge Peterson asked whether she could continue her service as an advocate for AFPAG. She was advised by the instructor and other judges that she should

discontinue her advocate role. In response, Judge Peterson stated that she “would have to rethink some things.”

Complaint No. 2021-155

37.

On Saturday, April 17, 2021, Judge Peterson was scheduled to perform a wedding at the Douglas County Courthouse.

38.

The Douglas County Courthouse is closed to the public outside of normal business hours and on the weekends. In the event of after-hours or weekend events where civilians will enter the courthouse, the Sheriff’s Office schedules and pays deputies to be present to conduct security screenings of civilians before they can enter the courthouse.

39.

On Saturday, April 17, 2021, deputies were scheduled to be at the courthouse to conduct security screenings of civilians for Judge Peterson’s wedding, which was set for 11:00 a.m. per the schedule distributed to them.

40.

The deputies reported to the courthouse prior to 11:00 a.m. and left around 12:45 p.m. Captain Trent Wilson, the Captain of Courthouse Security, (“Captain

Wilson”) was notified that Judge Peterson and her wedding party did not appear at the courthouse during the timeframe that the deputies were present.

41.

Captain Wilson called Judge Peterson to advise that the deputies scheduled to conduct security screenings had reported for their assigned timeframe and departed after Judge Peterson and her wedding party did not appear for the wedding.

42.

Judge Peterson told Captain Wilson that she and her wedding party had not yet appeared because the wedding was set for later that day. Captain Wilson advised that the deputies had reported at the correct time per the schedule they received. He informed Judge Peterson that the deputies would not return to the courthouse that day.

43.

Captain Wilson further advised Judge Peterson that she could either hold the wedding outside on the courthouse steps or reschedule the wedding for the following week. Captain Wilson made clear to Judge Peterson that she was not to allow civilians to enter the courthouse for the wedding, as there were no deputies to conduct the required security screenings.

44.

Judge Peterson told Captain Wilson that she was going to do what her wedding party wanted to do. Captain Wilson reiterated that she was not to allow civilians to enter the courthouse and advised that doing so would constitute a violation of the courthouse's security protocol.

45.

Judge Peterson subsequently arrived at the courthouse and discovered that an off-duty deputy, who is also a pastor, was at the courthouse preparing to perform a separate wedding.

46.

Judge Peterson then called Sheriff Tim Pounds, the Sheriff of Douglas County ("Sheriff Pounds"), to tell him about the situation. Sheriff Pounds advised that allowing or taking civilians into the courthouse without required security screenings would be a violation of the courthouse's security protocol.

47.

Judge Peterson advised the Sheriff that his pastor-deputy was at the courthouse so he could do the required security screenings.

48.

Judge Peterson proceeded to allow seven civilians into the front entrance of the courthouse. The first three civilians were not with Judge Peterson's wedding party. The subsequent four civilians were with Judge Peterson's wedding party.

49.

The pastor-deputy was not present for the entry of any of these seven civilians, and he did not conduct security screenings of these civilians, as he was off-duty, not authorized to conduct security screenings at the time, and was preparing to perform a separate wedding.<sup>2</sup>

50.

The first three civilians walked freely through the courthouse without an escort.

51.

Judge Peterson conducted her wedding ceremony inside the courthouse and the wedding party departed from the courthouse.

52.

Afterward, Judge David Emerson, Chief Judge of the Douglas Judicial Circuit ("Judge Emerson"), was notified that Judge Peterson had allowed civilians into the courthouse without any security screening after having been advised by

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<sup>2</sup> After review of his activities on April 17, 2021, the pastor-deputy was disciplined for allowing civilians into the courthouse without appropriate security screening, which was a violation of the courthouse security protocol.



Captain Wilson not to do so. As such, he advised the Sheriff's Office to suspend Judge Peterson's after-hours access to the courthouse.

53.

Once Judge Peterson realized her after-hours access to the courthouse had been suspended, she sent the Sheriff and Judge Emerson multiple email communications regarding her after-hours access being restored, never once acknowledging her violation of the courthouse security protocol.

54.

On April 21, 2021, in response to an email from Judge Emerson explaining the timeline of events leading to his request to suspend her after-hours access, Judge Peterson responded to Judge Emerson via email, asking "How are you even a Judge?" Judge Peterson continued the email, stating that "the times and information were all incorrect" and stated:

This is definitely not becoming of the judiciary and you should be ashamed of yourself. This is harassment, prejudicial, and borderline racist. I pray that your soul is saved and I also pray that the Sheriff will know his authority and use it for good. Denying access to MY office in the courthouse is denying me access to perform my constitutional duties. You have no authority to make the decisions in which you attempt to make. Please retire as this county has outgrown your spirit.

55.

Judge Peterson sent the email referenced in Paragraph 54 to Judge Emerson

with other court and governmental officials copied.

56.

On April 21, 2021, Judge Peterson had a member of her staff, Sandra Hall (“Ms. Hall”), send multiple frivolous requests for “Judge after hours courthouse access” to the County for authorization. The requests were for 5:00 p.m. on April 22, 2021, to 8:00 a.m. on April 23, 2021; 5:00 p.m. to 11:59 p.m. on April 23, 2021; and 12:00 a.m. on April 25, 2021, to 8:00 a.m. on April 26, 2021. Per the Sheriff’s Office policy, each of these after-hours events required that three deputies be at the courthouse.

57.

After appropriate steps were taken by the Sheriff and Judge Emerson to address Judge Peterson’s violation of the courthouse’s security protocol, her after-hours access to the courthouse was restored on April 22, 2021.

58.

On April 22, 2021, former JQC Chief Investigator Lance Alford (“Investigator Alford”) and Deputy Director Courtney Veal (“Deputy Director Veal”) went to the Probate Court of Douglas County. At the counter, Investigator Alford identified himself as the JQC Chief Investigator and requested copies of marriage applications and certificates.

59.

Judge Peterson was not in the office on this date. After Investigator Alford identified himself and made the request for records, the Clerk asked that they wait and went into an office out of public view. Several minutes later, the Clerk returned and advised that Judge Peterson's policy required such requests to be made in writing, on letterhead, with an explanation regarding why the copies of records were needed. The Clerk explained that once the written request was received, Judge Peterson would review it to determine whether the copies would be provided.

60.

When asked for a written copy of the policy or where they could look to review the policy, the Clerk advised that the policy was not a written policy, and it was not posted anywhere for review.

61.

Investigator Alford and Deputy Director Veal then revised their request and asked only to view the records. Visibly agitated, the Clerk again asked that they wait and went back into the office outside of public view. Upon return, the Clerk advised that the same policy he previously explained would need to be followed in order to even view the documents.

62.

Investigator Alford and Deputy Director Veal told the Clerk that they were only requesting access to records which were public record and confirmed that the Clerk was not willing to provide copies or allow them to view the records. The Clerk once again advised that Judge Peterson's policy had to be followed and he refused to provide copies or allow viewing of the records.

63.

At or about the end of April 2021, Judge Peterson obtained new case management software for the Probate Court. The new case management software required that all of the information and data stored on the existing case management software be extracted, converted, and uploaded to the new software for use.

64.

On or about April 27, 2021, the County Network Administrator advised Judge Peterson that he had uploaded all of the files in the format he was authorized to upload them in to Judge Peterson's new case management software.

65.

On that same date, dissatisfied with the format in which the files had been provided via upload to her new software, Judge Peterson sent an email communication titled "NOTICE OF INTENT TO SUE" to Douglas County's

Director of Information Services and County Administrator, copying other court and governmental officials. Within the email, Judge Peterson advised that she was “trying to avoid legal action,” but her requests had been denied, and she would “move forward with legal action tomorrow.” Judge Peterson further advised, “[t]his is obstruction,” and “you will be sanctioned accordingly for noncompliance.”

66.

Judge Peterson has requested that a Douglas County Sheriff’s Office deputy escort her every time she walks from her office to her courtroom, and from her courtroom back to her office.

67.

On or about May 11, 2021, Judge Peterson’s deputy escort was a few minutes late to her office. In response to her deputy escort’s tardiness, Judge Peterson activated the emergency panic button in her office.

68.

As a result, courthouse operations were disrupted, and Sheriff’s Office personnel rushed to her office assuming there was an emergency only to discover that there was no emergency. Judge Peterson advised that she had activated the emergency panic button simply because her deputy escort was late.

#### **IV. RULES OF THE CODE OF JUDICIAL CONDUCT IMPLICATED BY JUDGE PETERSON'S CONDUCT**

##### **Rule 1.1**

69.

Rule 1.1 of the Georgia Code of Judicial Conduct states:

“Judges shall respect and comply with the *law*.” (Emphasis in original).

70.

The Georgia Code of Judicial Conduct terminology section defines “law” as follows:

“Law” denotes court rules as well as statutes, constitutional provisions, judicial emergency orders filed by a Chief Judge or the Chief Justice pursuant to O.C.G.A. 38-3-61 and 38-3-62, and decisional law, including the Code of Judicial Conduct and Advisory Opinions of the Judicial Qualifications Commission.

##### **Rule 1.2 (A)**

71.

Rule 1.2 (A) of the Georgia Code of Judicial Conduct states:

“Judges shall act at all times in a manner that promotes public confidence in the *independence, integrity, and impartiality* of the judiciary.” (Emphasis in original).

**Rule 1.2 (B)**

72.

Rule 1.2 (B) of the Georgia Code of Judicial Conduct states:

An independent and honorable judiciary is indispensable to justice in our society. Judges shall participate in establishing, maintaining, and enforcing high standards of conduct, and shall personally observe such standards of conduct so that the *independence, integrity, and impartiality* of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.

(Emphasis in original).

**Rule 2.5 (A)**

73.

Rule 2.5 (A) of the Georgia Code of Judicial Conduct states:

“Judges shall perform judicial and administrative duties competently, diligently, and without bias or prejudice.”

**Rule 2.5 (B)**

74.

Rule 2.5 (B) of the Georgia Code of Judicial Conduct states:

“Judges shall maintain professional competence in judicial administration, and shall cooperate with other judges and court officials in the administration of court business.”

**Rule 2.8 (B)**

75.

Rule 2.8 (B) of the Georgia Code of Judicial Conduct states:

“Judges shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom they deal in their official capacity, and shall require similar conduct of all persons subject to their direction and control.”

**Rule 2.12 (A)**

76.

Rule 2.12 (A) of the Georgia Code of Judicial Conduct states:

Judges shall require their staffs, court officials, and others subject to their direction and control to observe the standards of fidelity and diligence that apply to the judges, to refrain from manifesting bias or prejudice in the performance of their official duties, and to act in a manner consistent with the judge’s obligations under this Code.

**V. VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT**

Complaint No. 2021-103

COUNT ONE

77.

On and between December 28, 2017, and March 12, 2018, Judge Peterson failed to respect and comply with the law in violation of Rule 1.1 of the Georgia



Code of Judicial Conduct, by violating Georgia Rules of Professional Conduct Rule 1.4 (a) when she:

- Failed to promptly explain and disclose the details of the settlement offer she made in the second HOA lawsuit, as alleged in Paragraphs 15 - 17 above, to each of her Plaintiff-clients prior to extending said offer to opposing counsel;
- Failed to promptly explain and disclose the acceptance of the settlement in the second HOA lawsuit, as alleged in Paragraphs 18 – 22 above, to each of her Plaintiff-clients prior to communicating said acceptance to opposing counsel; and
- Failed to promptly comply with reasonable requests for information, made by a Plaintiff-client, related to the settlement of the second HOA lawsuit, as alleged in Paragraph 29 above.

COUNT TWO

78.

On or about February 5, 2018, Judge Peterson failed to respect and comply with the law in violation of Rule 1.1 of the Georgia Code of Judicial Conduct, by violating Georgia Rules of Professional Conduct Rule 1.2 (a) when she failed to obtain consent from each of her Plaintiff-clients prior to settling the second HOA lawsuit, as alleged in Paragraphs 15 – 25 above.

COUNT THREE

79.

On or about February 5, 2018, Judge Peterson failed to respect and comply with the law, in violation of Rule 1.1 of the Georgia Code of Judicial Conduct, by violating Georgia Rules of Professional Conduct Rule 1.15 (I) (c) when she failed to promptly notify each of her Plaintiff-clients of her receipt of settlement funds in the second HOA lawsuit, as alleged in Paragraphs 22 – 24 above.

COUNT FOUR

80.

Between February 5, 2018, and September 28, 2021, Judge Peterson failed to respect and comply with the law, in violation of Rule 1.1 of the Georgia Code of Judicial Conduct, by violating Georgia Rules of Professional Conduct Rule 1.15 (I) (c) when she failed to promptly deliver settlement funds to each of her Plaintiff-clients in the second HOA lawsuit, as referenced in Paragraphs 22 – 30 above.

COUNT FIVE

81.

On and between December 28, 2017, and September 28, 2021, Judge Peterson failed to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, when she:

- Failed to promptly explain and disclose the details of the settlement offer she made in the second HOA lawsuit, as alleged in Paragraphs 15 -17 above, to each of her Plaintiff-clients prior to extending said offer to opposing counsel;
- Failed to promptly explain and disclose the acceptance of the settlement in the second HOA lawsuit, as alleged in Paragraphs 18 – 22 above, to each of her Plaintiff-clients prior to communicating said acceptance to opposing counsel;
- Failed to promptly comply with reasonable requests for information, made by a Plaintiff-client, related to the settlement of the second HOA lawsuit, as alleged in Paragraph 29 above;
- Failed to promptly notify each of her Plaintiff-clients of her receipt of settlement funds in the second HOA lawsuit, as referenced in Paragraphs 22 – 24 above; and
- Failed to promptly deliver settlement funds to each of her Plaintiff-clients in the second HOA lawsuit, as referenced in Paragraphs 22 – 30 above.

Complaint No. 2021-104

COUNT SIX

82.

27

On and about February 8, 2021, and March 4, 2021, Judge Peterson failed to establish, maintain, and enforce high standards of conduct, and failed to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the Georgia Code of Judicial Conduct, by making false and misleading statements to the Director, to wit:

- “I asked in the open training forum if my continuation as an AFPAG advocate would be acceptable, I was told by the Probate Council that it was not a violation and that I may continue serving.”
- “I asked at the training amongst all my peers. Melanie Bell was the instructor on the course on ethics in which I directed my question to. However, other Judges chipped in and agreed it was no issue.”

Judge Peterson made said statements to the Director despite the fact that she had actually been advised at the NJO Training by the instructor, as well as other judges, that she should discontinue her service as an advocate.

Complaint No. 2021-155

COUNT SEVEN

83.

On April 17, 2021, Judge Peterson failed to establish, maintain, and enforce high standards of conduct, and failed to personally observe such standards of

conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the Georgia Code of Judicial Conduct, when, after being advised by Captain Wilson that she was not to allow civilians to enter the Douglas County Courthouse because they could not be security screened, she allowed seven citizens to enter the courthouse without security screenings, in violation of the courthouse security protocol.

COUNT EIGHT

84.

On April 17, 2021, Judge Peterson failed to perform judicial and administrative duties competently, diligently, and without bias or prejudice, in violation of Rule 2.5 (A) of the Georgia Code of Judicial Conduct, when, after being advised by Captain Wilson that she was not to allow civilians to enter the Douglas County Courthouse because they could not be security screened, she allowed seven citizens to enter the courthouse without security screenings, in violation of the courthouse security protocol.

COUNT NINE

85.

On April 17, 2021, Judge Peterson failed to maintain professional competence in judicial administration and to cooperate with other judges and court officials in the administration of court business in violation of Rule 2.5 (B) of the

Georgia Code of Judicial Conduct when, after being advised by Captain Wilson that she was not to allow civilians to enter the Douglas County Courthouse because they could not be security screened, she allowed seven citizens to enter the courthouse without security screenings, in violation of the courthouse security protocol.

COUNT TEN

86.

On or about April 22, 2021, Judge Peterson failed to respect and comply with the law, in violation of Rule 1.1 of the Georgia Code of Judicial Conduct, when she allowed her Clerk to fail and refuse to provide copies and viewing of public records as requested by Investigator Alford and Deputy Director Veal.

COUNT ELEVEN

87.

On or about April 22, 2021, Judge Peterson failed to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, when she allowed her Clerk to fail and refuse to provide copies and viewing of public records as requested by Investigator Alford and Deputy Director Veal.

COUNT TWELVE

88.

On or about April 22, 2021, Judge Peterson did fail to perform judicial and administrative duties competently, diligently, and without bias or prejudice, in violation of Rule 2.5 (A) of the Georgia Code of Judicial Conduct, when she allowed her Clerk, in violation of O.C.G.A. § 31-10-25 (f) and Uniform Probate Court Rule 4.1, to fail and refuse to provide copies and viewing of public records as requested by Investigator Alford and Deputy Director Veal.

COUNT THIRTEEN

89.

On or about April 22, 2021, Judge Peterson did fail to perform judicial and administrative duties competently, diligently, and without bias or prejudice, in violation of Rule 2.5 (A) of the Georgia Code of Judicial Conduct, when she allowed her Clerk to advise on and follow an unwritten policy which violated O.C.G.A. § 31-10-25 (f) and Uniform Probate Court Rule 4.1, and resulted in the denial of access of public records to Investigator Alford and Deputy Director Veal.

COUNT FOURTEEN

90.

On or about April 22, 2021, Judge Peterson failed to require her staff to observe the standards of fidelity and diligence that apply to her and to act in a

manner consistent with her obligations under this Code in violation of Rule 2.12 (A) of the Georgia Code of Judicial Conduct, when her Clerk, in violation of O.C.G.A. § 31-10-25 (f) and Uniform Probate Court Rule 4.1, failed and refused to provide copies and viewing of public records as requested by Investigator Alford and Deputy Director Veal.

COUNT FIFTEEN

91.

On and between April 21, 2021, and May 11, 2021, Judge Peterson failed to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, in violation of Rule 1.2 (A) of the Georgia Code of Judicial Conduct, by:

- Sending an email communication to Judge Emerson, with other court and governmental officials copied, which asked, “How are you even a Judge[;]” accused him of “harassment[;]” called his actions “prejudicial” and “borderline racist[;]” told him she prayed “that [his] soul is saved[;]” and asked that he “[p]lease retire as this county has outgrown your spirit[;]”
- Having her staff submit multiple frivolous requests for “Judge after hours courthouse access” to the County, which each would have required three



deputies to remain at the courthouse unnecessarily and after normal work hours;

- Sending an email communication to the Douglas County Director of Information Services and the County Administrator, with other court and governmental officials copied, which was titled “NOTICE OF INTENT TO SUE[;]” accusing the recipients of “obstruction[;]” and advising, “you will be sanctioned for noncompliance[;]” and
- Unnecessarily activating the emergency panic button in her office, which disrupted courthouse operations and caused Sheriff’s Office courthouse personnel to rush to her office, simply because her deputy escort was a few minutes late.

COUNT SIXTEEN

92.

On and between April 21, 2021, and May 11, 2021, Judge Peterson failed to establish, maintain, and enforce high standards of conduct, and to personally observe such standards of conduct so that the independence, integrity, and impartiality of the judiciary may be preserved, in violation of Rule 1.2 (B) of the Georgia Code of Judicial Conduct, by:

- Sending an email communication to Judge Emerson, with other court and governmental officials copied, which asked, “How are you even a

Judge[;]" accused him of "harassment[;]" called his actions "prejudicial" and "borderline racist[;]" told him she prayed "that [his] soul is saved[;]" and asked that he "[p]lease retire as this county has outgrown your spirit[;]"

- Having her staff submit multiple frivolous requests for "Judge after hours courthouse access" to the County, which each would have required three deputies to remain at the courthouse unnecessarily and after normal work hours;
- Sending an email communication to the Douglas County Director of Information Services and the County Administrator, with other court and governmental officials copied, which was titled "NOTICE OF INTENT TO SUE[;]" accusing the recipients of "obstruction[;]" and advising, "you will be sanctioned for noncompliance[;]" and
- Unnecessarily activating the emergency panic button in her office, which disrupted courthouse operations and caused Sheriff's Office courthouse personnel to rush to her office, simply because her deputy escort was a few minutes late.

COUNT SEVENTEEN

93.

On and between April 21, 2021, and May 11, 2021, Judge Peterson did fail to maintain professional competence in judicial administration and to cooperate with other judges and court officials in the administration of court business in violation of Rule 2.5 (B) of the Georgia Code of Judicial Conduct by:

- Sending an email communication to Judge Emerson, with other court and governmental officials copied, which asked, “How are you even a Judge;” accused him of “harassment;” called his actions “prejudicial” and “borderline racist;” told him she prayed “that [his] soul is saved;” and asked that he “[p]lease retire as this county has outgrown your spirit;”
- Having her staff submit multiple frivolous requests for “Judge after hours courthouse access” to Douglas County, which each would have required three deputies to remain at the courthouse unnecessarily and after normal work hours;
- Sending an email communication to the Douglas County Director of Information Services and the County Administrator, with other court and governmental officials copied, which was titled “NOTICE OF INTENT TO SUE,” accusing the parties of “obstruction,” and advising, “you will be sanctioned for noncompliance;” and

- Unnecessarily activating the emergency panic button in her office, which disrupted courthouse operations and caused Sheriff's Office courthouse personnel to rush to her office, because her deputy escort was a few minutes late.

COUNT EIGHTEEN

94.

On and between April 21, 2021, and May 11, 2021, Judge Peterson failed to be patient, dignified, and courteous to the below-referenced individuals, with whom she dealt in her official capacity, in violation of Rule 2.8 (B) of the Georgia Code of Judicial Conduct when she:

- Sent an email communication to Judge Emerson, with other court and governmental officials copied, which asked, "How are you even a Judge[;]" accused him of "harassment[;]" called his actions "prejudicial" and "borderline racist[;]" told him she prayed "that [his] soul is saved[;]" and asked that he "[p]lease retire as this county has outgrown your spirit[;]"
- Had her staff submit multiple frivolous requests for "Judge after hours courthouse access" to the County, which each would have required three deputies to remain at the courthouse unnecessarily and after normal work hours;

- Sent an email communication to the Douglas County Director of Information Services and the County Administrator, with other court and governmental officials copied, which was titled “NOTICE OF INTENT TO SUE[;]” accusing the recipients of “obstruction[;]” and advising, “you will be sanctioned for noncompliance[;]” and
- Unnecessarily activated the emergency panic button in her office, which disrupted courthouse operations and caused Sheriff’s Office courthouse personnel to rush to her office, simply because her deputy escort was a few minutes late.

## **VI. CONCLUSION.**

95.

Violations of the Georgia Code of Judicial Conduct support discipline when they amount to “willful misconduct in office,” “habitual intemperance,” or “conduct prejudicial to the administration of justice which brings the judicial office into disrepute.” Ga. Const. of 1983, Art. VI, Sec. VII, Par. VII (a); JQC Rule 6 (A) (5). Judge Peterson’s conduct as alleged above amounts to willful misconduct in office, habitual intemperance, and is prejudicial to the administration of justice, bringing her judicial office into disrepute. Therefore, the Director hereby seeks disciplinary action for the above-stated violations of the Georgia Code of Judicial Conduct.

**NOTICE OF FORMAL CHARGES**

Pursuant to JQC Rules 13, 19, and 20, and by filing these Formal Charges with the Hearing Panel, Judge Peterson is hereby notified of the above alleged misconduct and is required to file a verified answer to these charges with the Clerk of the Supreme Court and serve a copy of the verified answer on the Director. The answer shall be filed within thirty (30) days after service of these Formal Charges. Failure to answer the Formal Charges shall constitute an admission of the factual allegations pursuant to JQC Rule 21 (A).

Respectfully submitted this 28 day of September, 2021.

s:\CHARLES P. BORING  
Charles P. Boring, Director  
Judicial Qualifications Commission  
Georgia Bar No. 065131  
cboring@gajqc.gov

s:\COURTNEY M. VEAL  
Courtney M. Veal, Deputy Director  
Judicial Qualifications Commission  
Georgia Bar No. 493971  
cveal@gajqc.gov

**CERTIFICATE OF SERVICE**

Pursuant to Judicial Qualifications Commission Rule 13, the Director certifies that he has this day served the following:

**Formal Charges**

by placing a true and correct copy of the same in the United States mail in an envelope properly addressed with adequate postage thereon to ensure delivery upon the following, and by forwarding via electronic mail to the below addresses:

**Lester S. Tate, III  
Akin & Tate PC  
11 West Public Square  
P.O. Box 878  
Cartersville, GA 30120  
[lester@akin-tate.com](mailto:lester@akin-tate.com)**

This 28 day of September, 2021.

**s:\CHARLES P. BORING**  
Charles P. Boring, Director  
Judicial Qualifications Commission  
1995 North Park Place SE, Suite 570  
Atlanta, GA 30339  
[cboring@gajqc.gov](mailto:cboring@gajqc.gov)

**s:\COURTNEY M. VEAL**  
Courtney M. Veal, Deputy Director  
Judicial Qualifications Commission  
1995 North Park Place SE, Suite 570  
Atlanta, GA 30339  
[cveal@gajqc.gov](mailto:cveal@gajqc.gov)