

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to A.S. 22.30.011(a) in)
relation to:)
)
William Estelle,)
) **ACJC File No. 2013-004**
Judge of the District Court,)
Third Judicial District at)
Palmer, Alaska]
_____)

**To: William Estelle
c/o Jonathon Katcher
Pope & Katcher
421 West First Avenue, Suite #220
Anchorage, AK 99501**

COMPLAINT

The Alaska Commission on Judicial Conduct pursuant to Article IV, sec. 10 of the Constitution of the State of Alaska, AS 22.30.011, and Rule 11 of the Rules of the Alaska Commission on Judicial Conduct charges that Judge William Estelle engaged in the following conduct that violates AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A, 3B(2)(a), and 3B(8) of the Alaska Code of Judicial Conduct.

(1) From September 15, 2011 through February 28, 2012, and from January 15, 2013 through February 28, 2013, Judge Estelle signed affidavits for each corresponding pay period stating that to the best of his knowledge and belief no matter currently referred to him for opinion or decision had been uncompleted or undecided for a period of more than six months. These affidavits were factually incorrect as to three cases during three time periods. Between September 15, 2011 and February 28, 2012, Judge Estelle had one matter that he had not timely disposed of within six months. Between January 15, 2013 and February 28, 2013, Judge Estelle had a second matter that he had not timely disposed of within six months. Between February 21, 2013 and February 28, 2013, Judge Estelle had a third matter that he had not timely disposed of within six months.

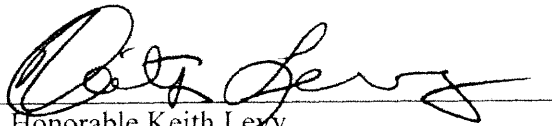
By signing affidavits that were factually incorrect, Judge Estelle engaged in conduct that violates AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A, 3B(2)(a), and 3B(8) of the Alaska Code of Judicial Conduct.

(2) As a result of the incorrect affidavits, Judge Estelle received pay that should have been withheld under the governing statute for 12 pay periods in one matter, and a total of 4 pay periods regarding two other matters. Judge Estelle's incorrect affidavits resulted in indirect financial gain contrary to statute by gaining use of funds that should have been withheld until after he had rendered the decisions. Judge Estelle's conduct violated AS 22.30.011(a)(3) (C), (D), and (E) and Canons 1, 2A, 3B(2)(a), and 3B(8) of the Alaska Code of Judicial Conduct.

Commission Rule 11 (b) (4) (B) requires that a response be filed within twenty days.

Dated at Anchorage, Alaska this 20th day of August 2013.

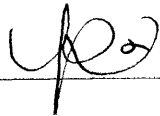
ALASKA COMMISSION ON JUDICIAL CONDUCT

By: 
Honorable Keith Levy
Chairperson

BY ORDER OF THE COMMISSION

RETURN

I served the above Complaint constituting a statement of formal charges on Judge William Estelle, the person to whom it is addressed, on the 20th day of August 2013, by fax and certified mail to his attorney Jonathon Katcher.



Signature

Administrative Assistant

Title

Jessica Richter

Name

Alaska Commission on Judicial Conduct
510 L Street, Suite 585
Anchorage, Alaska 99501
(907) 272-1033
FAX (907) 272-9309

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COMMISSION ON JUDICIAL CONDUCT

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ACJC File No. 2013-004

ANSWER TO COMPLAINT

Judge William Estelle, by and through counsel, responds to the Commission's Complaint as follows:

- (1) Admitted, except that Judge Estelle denies that his conduct violated Canon 3B(2)(a) of the Alaska Code of Judicial Conduct.
- (2) Admitted, except that Judge Estelle denies that his conduct violated Canon 3B(2)(a) of the Alaska Code of Judicial Conduct.

MITIGATING FACTORS

The following Mitigating Factors from the American Bar Association (ABA) Standards for Imposing Lawyers Sanctions, as adopted by the Alaska Supreme Court for the imposition of judicial discipline (In re Inquiry Concerning a Judge, 788 P.2d 716, 723-25 (Alaska 1990)), apply to Judge Estelle's conduct:

- (1) Judge Estelle did not act out of a dishonest or selfish motive. ABA Mitigating Factor 9.32(a).

(2) Judge Estelle self-reported, has made full and free disclosure to the Commission, has cooperated with the Commission's proceedings, and has manifested remorse. ABA Mitigating Factors 9.32(e) and (l).

(3) Judge Estelle has excellent character and an excellent reputation. ABA Mitigating Factor 9.32(g).

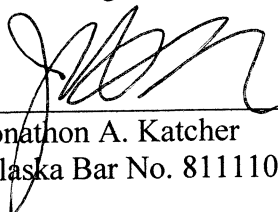
In addition to the foregoing ABA Mitigating Factors, the following also serves to mitigate his conduct:

(4) Judge Estelle has improved his office practices and procedures to prevent similar problems from occurring again.

Dated at Anchorage, Alaska this 9th day of September, 2013.

POPE & KATCHER
Attorneys for Judge William Estelle

By: _____


Jonathon A. Katcher
Alaska Bar No. 8111104

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