

## 'My Own Errors in Judgment': Ex-Judge Responds After Removal From Bench

"While I am certainly disappointed with this outcome, I acknowledge that my own errors in judgment resulted in the Supreme Court's decision," Christian Coomer told the Daily Report Wednesday. "I will use this setback as an opportunity to reexamine my flaws and do better."

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Legal Ethics and Attorney Discipline

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### What You Need to Know

- Supreme Court of Georgia decides to remove suspended Georgia Court of Appeals Judge Christian Coomer from office.
- Coomer 'disappointed' with outcome but intends to use 'setback' as opportunity to 'do better.'
- Judicial Qualifications Commission of Georgia counsel applaud Coomer's removal as accountability.
- Respondent counsel maintain Coomer's a 'good, God-fearing man.'

He spent just over two years on the Georgia Court of Appeals bench before spending the next 2½ sidelined with pay amid a judicial misconduct investigation.

On Wednesday, Judge Christian Coomer's judicial well officially ran dry when the Supreme Court of Georgia ruled the intermediate appellate judge be removed from office.

"We do not expect judges to be perfect; judges are human. But we can and do expect them to be honest," read the high court's announcement of Coomer's removal from office. "The judiciary has no place for dishonest person."

### 'Disappointed With This Outcome'

Coomer had been benched from the intermediate appellate court since January 2021 after consenting to a voluntary "suspension with pay pending resolution of the JQC proceedings."

Upon learning of his removal from office, the ex-judge shared his reaction with the Daily Report.

"While I am certainly disappointed with this outcome, I acknowledge that my own errors in judgment resulted in the Supreme Court's decision," Coomer said. "I will use this setback as an opportunity to reexamine my

flaws and do better. I remain committed to my core values of dedication to God and my family, and engagement in service to others.”

Coomer stood accused of “improperly drafting wills for [a] client that benefitted Judge Coomer and his family, borrowing large sums of money from [the client] with terms that were not fair and reasonable, continually violating the Georgia Rules of Professional Conduct, and behaving unethically toward [the client] after Judge Coomer became a Court of Appeals Judge,” according to the amended JQC charges. “Coomer also ran afoul of the Code by repeatedly violating campaign finance laws and by making misrepresentations and omissions on other financial documents, including those governed by federal law.”

## ‘I Thought I Was Having a Heart Attack’: Georgia Judge Testifies at His Ethics Hearing

Coomer stood for ethics proceedings in October and December of 2022 before the JQC Hearing Panel made up of Fulton Superior Court Judge Robert McBurney, Dunwoody attorney Dax Lopez of DelCampo Grayson Lopez and retired businessman Jack Winter.

In January, the JQC Hearing Panel determined Coomer “decidedly acted improperly” by entering into the three loans “on terms unfair and unreasonable” to Filhart, an elderly client, but found Coomer “did not engage in professional conduct that involved dishonesty, deceit, or misrepresentation.”

After determining former JQC Director Chuck Boring proved 28 counts of ethics violations against Coomer, the panel recommended the Supreme Court remove Coomer from office.

However, Coomer’s defense team repeatedly challenged the sanction recommendation.

(L-R) Mark D. Lefkow partner with Copeland Stair Kingma & Lovell, Joe Kingma and Dennis Cathey of Cathey & Strain in Cornelia, Georgia. (Courtesy photos)

Atlanta attorneys Mark Lefkow of Copeland, Stair, Valz & Lovell and Johannes S. Kingma of Stites & Harbison, along with Cornelia lawyer Dennis Cathey of Cathey & Strain, contended the JQC lacked authority to launch its initial ethics probe against the judge in 2020.

The trio received validation in March when the Supreme Court of Georgia remanded Coomer’s ethics case to the JQC for further review. Justices concluded the JQC Hearing Panel made “at least two critical legal errors” regarding its jurisdiction over pre-judicial conduct and determination that Coomer’s actions had been in bad faith.

But after a second wave of ethics proceedings resulted in the JQC Hearing Panel again recommending Coomer’s removal from office, his defense team filed another lengthy notice of exceptions in May. The respondent notice prompted two additional filings—the JQC’s response to Coomer’s alleged exceptions and respondent counsel’s subsequent rebuttal.

## Suspended Judge’s Ethics Probe Draws Closer to End

### ‘Abuse a Position of Trust’

Seven weeks after receiving respondent counsel's final filing on behalf of the suspended judge, seven justices concurred with Coomer's removal from office in a 49-page opinion released Aug. 16. Justice Charles J. Bethel did not participate in the opinion, while disqualification excluded Justice Verda M. Colvin.

Throughout the ruling, the justices addressed each of Coomer's alleged 36 counts of judicial misconduct before prescribing weight to the JQC Investigative Panel's findings and respondent counsel's challenges. The high court outlined how Coomer's interactions with his former client, Fillhart, a campaign-funded family trip to Hawaii and improper law firm money transfers violated Rules 1.1 and 1.2 (A) of the Code of Judicial Conduct.

Chief Justice Michael P. Boggs of the Supreme Court of Georgia. (Courtesy photo)

Rather than "promote public confidence in the integrity of the judiciary," justices concluded Coomer had "undermine[d] such public confidence."

"These actions present to the public a picture of a judge who will abuse a position of trust in order to take advantage of a vulnerable person for his own personal financial benefit ... who, when confronted with the consequences of those actions, does not cooperate or try to rectify his wrongs, but stalls and obfuscates ... [a]nd they present a picture of not mere negligence, but conscious wrongdoing motivated by self-interest, and thus actions taken in bad faith," the order read. "These actions, especially when combined with all the rest of his self-interested conduct, present to the public a picture of a judge who will bend the rules and abuse the access to campaign cash that a public office affords him when it benefits him financially."

## Read the Opinion

### 'Years of Hard Work'

For former JQC Director **Chuck Boring**, Coomer's removal from office means final closure for his judicial watchdog career. Taking on the suspended judge's investigative probe in December 2020, Boring handled the bulk of Coomer's judicial misconduct investigation for the JQC before stepping down to join regulatory firm **Robbins Alloy Belinfante and Littlefield** in January.

"Today's decision was the culmination of years of hard work and dedication by the JQC staff, special counsel Anna Cross, Investigative Panel and Hearing Panel," Boring told the Daily Report Wednesday. "The Coomer investigation and prosecution encompassed almost my entire three years as director the JQC, beginning the week after the country shut down due to the global pandemic, continuing through my time as director, and now concluding as my last pro bono matter assisting the JQC."

**Boring** called the underlying facts surrounding Coomer's misconduct "disappointing and discouraging," but said he hoped the Supreme Court's decision would enhance the public's confidence in the judicial disciplinary system.

"That public not only comprises the citizens of this state, but also the narrower universe that is the bench and bar. Numerous attorneys and judges have followed the trial of this matter and voiced their opinions to me regarding Coomer's actions and the need to hold him accountable," Boring said. "I believe that this decision serves to strengthen the legal community's confidence our system of justice by holding Coomer accountable

and removing him from office.”

Named JQC Director in April, Courtney Veal shared similar sentiments after leading the remainder of Coomer’s judicial misconduct prosecution. In addition to being “pleased with the decision of the Supreme Court,” Veal expressed gratitude for the “Commission’s hard work and perseverance com[ing] to fruition.”

“The public’s opinion of our judicial system is often shaped by our worst examples, not our best. Each time the public perceives that our worst are not held accountable, damage is done to our system,” Veal told the Daily Report. “That damage makes the jobs of our great jurists—who show up every day to do right and their best—all the more difficult.”

## ‘He Is a Good, God-Fearing Man’

Across the aisle, Coomer’s defense team continued to stand by their client. Lead respondent counsel Mark Lefkow said he remained proud to call Coomer a friend.

“While I understand that the current press cycle requires reporting on negative elements of this story, I have learned during my three years of representing Christian Coomer that he is a good, God-fearing man who deeply loves his family and sees good in people,” Lefkow told the Daily Report. “I have personally witnessed Chris’ humanity over and over with friends, neighbors and colleagues, and I am proud to call him my friend.”