

STATE OF MARYLAND

BEFORE THE COMMISSION ON JUDICIAL DISABILITIES

IN THE MATTER OF:  
JUDGE WILLIAM JOHN DOTSON

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CJD 2022-005

To: JUDGE WILLIAM JOHN DOTSON  
ORPHANS' COURT FOR CHARLES COUNTY

Received by Commission

OCT 26 2022

on Judicial Disabilities

CHARGES

**TAKE NOTICE** that the Commission on Judicial Disabilities (hereinafter "Commission") caused to be made and completed an investigation, through its Investigative Counsel, Tanya C. Bernstein, Esq., ("Investigative Counsel"), of Judge William John Dotson (hereinafter sometimes referred to as "Judge"), who was, at all pertinent times, a Judge of the Orphans' Court of Charles County, Maryland. The Commission notified Judge Dotson of the nature of the investigation and afforded the Judge an opportunity to present information bearing on the subject of the investigation.

The Commission received and considered information from the investigation, including but not limited to, the complaint and attachments; the public personal Facebook page of Judge Dotson, the Guidelines Concerning the Use of Social Media by Judges and Judicial Appointees of the Maryland Judiciary; the judge's response; the report and recommendation of Investigative Counsel; and the Report of the Judicial Inquiry Board. In consideration of the foregoing, the Commission entered into a conditional diversion agreement ("Agreement") with Judge Dotson pursuant to Rule 18-426 on July 13, 2022. The contents of the Agreement are confidential pursuant to Rule 18-426(d).

Investigative Counsel was charged with monitoring Judge Dotson's compliance with the Agreement. Investigative Counsel monitored Judge Dotson's compliance with the Agreement as

directed and presented information to the Commission relative to Judge Dotson's compliance by Memorandum dated September 22, 2022. Having received and considered the information presented by Investigative Counsel, to include information received from Judge Dotson, the Commission found that Judge Dotson failed to comply with the Agreement and found probable cause to believe that Judge Dotson committed sanctionable conduct. The Commission directed Investigative Counsel to initiate formal proceedings against Judge Dotson pursuant to Rule 18-431(a). The Commission will conduct a public hearing on these charges pursuant to Rule 18-434.

The Commission states as follows in support of its probable cause determination:

1. Judge Dotson has served as a Judge of the Orphan's Court of Charles County, Maryland since 2020.
2. Based upon a complaint received, the Commission's Investigative Counsel opened an investigation regarding Judge Dotson's conduct.
3. The investigation revealed sanctionable conduct by Judge Dotson. The nature of the sanctionable conduct that is the subject of these charges includes lending the prestige of his office to advance the private interests of himself and others on social media, engaging in public partisan political discussion on social media, improperly giving legal advice through his activity on social media, and failing to cooperate with disciplinary authorities.
4. Judge Dotson's conduct was in violation of Rules 18-101.1 (Compliance with the Law), 18-101.2 (Promoting Confidence in the Judiciary), 18-101.3 (Avoid Lending the Prestige of Judicial Office), 18-102.16(a) (Cooperation with Disciplinary Authorities), 18-103.1(a)-(d) (Extra-Official Activities in General), 18-103.7 (Participation in Educational, Religious, Charitable, Fraternal, or Civic Organizations and Activities), 18-103.10 (Practice of Law), and 18-104.2 (Political Conduct of Judge Who Is Not a Candidate).

The pertinent provisions of the Rules provide as follows:

**RULE 18-101.1. COMPLIANCE WITH THE LAW**

A judge shall comply with the law, including this Code of Judicial Conduct.

**RULE 18-101.2. PROMOTING CONFIDENCE IN THE JUDICIARY**

- (a) A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary.
- (b) A judge shall avoid conduct that would create in reasonable minds a perception of impropriety.

**RULE 18-101.3. AVOIDING LENDING THE PRESTIGE OF JUDICIAL OFFICE**

A judge shall not lend the prestige of judicial office to advance the personal or economic interest of the judge or others, or allow others to do so.

**RULE 18-102.16 (a). COOPERATION WITH DISCIPLINARY AUTHORITIES**

- (a) A judge shall cooperate and be candid and honest with judicial and attorney disciplinary agencies.

**RULE 18-103.1(a)-(d). EXTRA-OFFICIAL ACTIVITIES IN GENERAL**

Except as prohibited by law or this Code, a judge may engage in extrajudicial activities. When engaging in extrajudicial activities, a judge shall not:

- (a) participate in activities that will interfere with the proper performance of the judge's judicial duties;
- (b) participate in activities that will lead to frequent disqualification of the judge;
- (c) participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality;
- (d) engage in conduct that would appear to a reasonable person to be coercive;

**RULE 18-103.7. PARTICIPATION IN EDUCATIONAL, RELIGIOUS, CHARITABLE, FRATERNAL, OR CIVIC ORGANIZATIONS AND ACTIVITIES**

- (a) Subject to the requirements of Rules 18-103.1 and 18-103.6, a judge may

participate in activities sponsored by organizations or governmental entities concerned with the law, the legal system, or the administration of justice, and those sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations not conducted for profit, including the following activities:

- (1) assisting such an organization or entity in planning related to fund-raising, and participating in the management and investment of the organization's or entity's funds;
  - (2) soliciting contributions for such an organization or entity, but only from members of the judge's family, or from judges over whom the judge does not exercise supervisory or appellate authority;
  - (3) soliciting membership for such an organization or entity, even though the membership dues or fees generated may be used to support the objectives of the organization or entity, but only if the organization or entity is concerned with the law, the legal system, or the administration of justice;
  - (4) appearing or speaking at, receiving an award or other recognition at, being featured on the program of, and permitting his or her title to be used in connection with an event of such an organization or entity, but if the event serves a fund-raising purpose, the judge may participate only if the event concerns the law, the legal system, or the administration of justice;
  - (5) making recommendations to such a public or private fund-granting organization or entity in connection with its programs and activities, but only if the organization or entity is concerned with the law, the legal system, or the administration of justice; and
  - (6) serving as an officer, director, trustee, or nonlegal advisor of such an organization or entity, unless it is likely that the organization or entity:
    - (A) will be engaged in proceedings that would ordinarily come before the judge; or
    - (B) will frequently be engaged in adversary proceedings in the court of which the judge is a member, or in any court subject to the appellate jurisdiction of the court of which the judge is a member.
- (b) A judge may encourage but not coerce attorneys to provide pro bono

publico legal services.

**RULE 18-103.10. PRACTICE OF LAW**

- (a) In General. Except as expressly allowed by this Rule, a judge shall not practice law.
- (b) Exceptions.
  - (1) A judge may act self-represented in a matter involving the judge or the judge's interest and, if without compensation, may give legal advice to and draft or review documents for a member of the judge's family.
  - (2) To the extent expressly allowed by law and subject to other applicable provisions of this Code, a part-time judge of an orphans' court who is an attorney may practice law, provided that:
    - (A) the judge shall not use the judge's judicial office to further the judge's success in the practice of law; and
    - (B) the judge shall not appear as an attorney in the court in which the judge serves.

**RULE 18-104.2(a). POLITICAL CONDUCT OF JUDGE WHO IS NOT A CANDIDATE**

- (a) A judge who is not a candidate shall not engage in any partisan political activity.

5. The specific facts upon which the charges are based are as follows:

As of April 18, 2022, Judge Dotson's public personal Facebook page prominently displayed a photograph of Judge Dotson in his judicial robes. This section appeared to the left of the screen alongside Judge Dotson's individual posts when viewing his page on an internet browser. Judge Dotson's personal public Facebook page also included the following posts, which were publicly available:

- a December 4, 2021, Facebook post advertising a holiday-themed event sponsored by local businesses; Judge Dotson announced his intended

presence at the event; mentioned specific businesses in the post and comments; engaged in further discussion in the comments, including sharing the flyer for the event; and agreed to make the post “shareable” at the request of a commentor;

- a November 10, 2021, Facebook post advertising a charity’s hiring efforts; Judge Dotson provided contact information, encouraged followers to “[p]lease pass the word”, encouraged one commenter to “please call”; engaged in other further discussion in the comments; and agreed to make the post “shareable” at the request of a commentor;
- an October 29, 2021, Facebook post advertising the opening of a local business and offering positive reviews and pictures of the business;
- a September 24, 2021, Facebook post advertising the hiring efforts of Judge Dotson’s personal business, providing details and contact information; Judge Dotson engaged in further discussion in the comments and agreed to make the post “shareable” at the request of a commentor; and
- an August 26, 2021, Facebook post advertising the hiring efforts of Judge Dotson’s personal business, providing details and contact information, and agreeing to make the post “shareable” at the request of a commentor.

Judge Dotson’s public Facebook page also included several posts providing his personal opinions on overtly political issues as well as social and cultural issues closely aligned with national and local partisan political positions. The following posts appeared on Judge Dotson’s personal page and were publicly available:

- a January 24, 2022, Facebook post sharing a partisan-themed article with

the text, "COVID-19 tests branded 'Made in China,'" with commentary from Judge Dotson;

- a January 20, 2022, Facebook post regarding the COVID infection rate and expressing his opinion about the response of the Charles County Commissioners; Judge Dotson engaged in further discussion of the issue in the comments and "liked" comments from other persons within the comment thread;
- a November 30, 2021, Facebook post advocating his position on a local mask mandate policy; Judge Dotson encouraged attendance at a public hearing on a local law and posted the link to the public hearing, expressed support for a partisan political advocacy group, advocated for donations for payment of legal fees for said advocacy group, engaged in further discussion in the comments, and "liked" comments from other persons within the comment thread.
- a November 1, 2021, Facebook post advocating specific actions by the federal government regarding inflation and economic issues; Judge Dotson engaged in further substantive discussion of the issue in the comments, agreed to make the post "shareable" at the request of a commentor, and "liked" comments from other persons within the comment thread, including one offering to provide information about an event hosted by a partisan political group;
- an October 31, 2021, Facebook post advocating for certain tariff policies and commenting favorably on American manufacturing; Judge Dotson

engaged in further discussion in the comments and advocated for an initiative of the federal government under a former presidential administration; and

- an October 27, 2021, Facebook post advocating certain unemployment benefit policies and “liking” comments from other persons within the comment thread.

Judge Dotson’s public Facebook page also included a post and series of comments providing what could be considered legal and financial advice regarding Maryland’s taxation policy regarding non-resident sellers of real property. An October 20, 2021, post interpreted a Maryland law which Judge Dotson described as a “leaving tax” and provided a suggestion for readers to avoid paying the tax. Judge Dotson participated in substantive discussion of the issue with commentors in the comments to the post during which he elaborated on his interpretation of the law, described how the law works in practice, and provided further advice on how to avoid paying the tax. The post appeared on Judge Dotson’s personal page and was publicly available.

On July 13, 2022, Judge Dotson entered into an Agreement with the Commission. The contents of the Agreement are confidential. The Agreement required Judge Dotson to take specific actions including, but not limited to, removing endorsements of businesses and charities from his social media pages and online presence; removing posts that advocate for political or legal issues from his social media pages and online presence; refraining from using his social media and online presence for endorsements of businesses, charities, politicians, and/or advocacy for political and social issues; and ceasing to use his business letterhead and email for judicial affairs.



Investigative Counsel was charged with monitoring Judge Dotson's compliance with the Agreement. A review of Judge Dotson's publicly available online presence as of August 25, 2022, reflected that Judge Dotson failed to remove his Facebook posts dated August 26, 2021; September 24, 2021; October 27, 2021; October 29, 2021; October 31, 2021; November 1, 2021; November 10, 2021; November 30, 2021; December 4, 2021; January 20, 2022; and the comments under each post; in violation of the Agreement. Judge Dotson also failed to remove the picture of him in his judicial robe from the "Photos" section of his Facebook page and continued to permit the unfettered dialogue of a political and criminal nature on his Facebook page.

Judge Dotson's publicly available online presence as of August 25, 2022, also reflected the following posts, websites, accounts, and other activity in violation of the Agreement:

- an August 16, 2022, Facebook post sharing a news article regarding "defunding the police" and providing commentary and opinion; Judge Dotson engaged in further discussion of the issue in the comments and "liked" comments from other persons within the comment thread;
- an August 7, 2022, Facebook post sharing a quote from a former president; Judge Dotson engaged in political discussion in the comments, agreed to make the post "shareable" at the request of a commentor, and "liked" comments from other persons within the comment thread;
- another November 1, 2021, Facebook post advertising the hiring efforts of Judge Dotson's personal business; Judge Dotson engaged in further discussion in the comments, agreed to make the post "shareable" at the

request of a commentor, and “liked” comments from other persons within the comment thread;

- an August 4, 2021, YouTube video of his appearance on an interactive political talk show claiming to be affiliated with a political party which identifies him as a judge and “[national political party] innovator” and advertises the discussion will include “all things Maryland politics”;
- an “Elect Bill Dotson” YouTube channel advertising his campaign for State Senator District 28 and including several videos promoting his position(s) on various issues and featuring the YouTube channels of prominent partisan national politicians and a national political party;
- an “Elect Bill Dotson” website ([www.electbilldotson.com](http://www.electbilldotson.com)) advertising his campaign for Maryland State Senate and promoting his position(s) on various issues and noting his political affiliation;
- an “Elect Bill Dotson” Twitter account (@ElectBillDotson) containing 434 tweets advertising his campaign for Maryland State Senate and promoting his position(s) on various issues and noting his political affiliation; and
- a Twitter account for “Bill Dotson” with the handle “@GOP\_Dotson.”

By letter dated August 31, 2022, Investigative Counsel notified Judge Dotson of his failure to comply with certain conditions of the Agreement and invited him to provide a response on or before September 15, 2022. An untimely response was received from Judge Dotson on September 16, 2022, from his personal business email account. In his response, Judge Dotson advised as follows:

- the “Bill Dotson” Twitter account (@GOP\_Dotson) was deactivated;

- references to Judge Dotson's personal business were removed from Judge Dotson's Facebook profile;
- the picture of Judge Dotson in his judicial robe had been removed from his Facebook account;
- multiple posts mentioned in the notice letter were removed; and
- Judge Dotson did not run for reelection, and his last day with the Orphans' Court is December 6, 2022.

A review of Judge Dotson's publicly available online presence as of September 20, 2022, confirmed that the August 7 and 16, 2022, Facebook posts were no longer publicly available; the "Elect Bill Dotson" website was no longer active; and Judge Dotson did not seek reelection to his position on the Orphans' Court.

However, Judge Dotson's publicly available online presence as of September 20, 2022, also indicated that:

- the picture of Judge Dotson in his judicial robe remained in the "Photos" section of his Facebook page;
- the "About" section of Judge Dotson's Facebook page listed him as "Owner/President at [his personal business]";
- Judge Dotson's Facebook posts dated January 20, 2022; December 4, 2021; November 30, 2021; November 10, 2021; November 1, 2021 (two posts); October 31, 2021; October 29, 2021; October 27, 2021; September 24, 2021; and August 26, 2021; and the comments under each post, remained on Judge Dotson's Facebook feed;
- the August 4, 2021, YouTube video of Judge Dotson's appearance on an

interactive partisan political talk show remained available to view and share;

- Judge Dotson's "Elect Bill Dotson" YouTube channel remained available to view and share;
- Judge Dotson's "Elect Bill Dotson" Twitter account (@ElectBillDotson) remained active and publicly viewable; and
- the "Bill Dotson" Twitter account (@GOP\_Dotson) remained active and included 13 "likes" of other posts made subsequent to Investigative Counsel's August 31, 2022, notice of violation letter. Ten of the 13 "likes" were responses to posts of a political nature.

Pursuant to her obligations under the Agreement, Investigative Counsel reported to the Commission Judge Dotson's failure to comply with the terms of the Agreement by Memorandum dated September 22, 2022. On October 24, 2022, the Commission determined that Judge Dotson failed to comply with the terms of the Agreement and directed Investigative Counsel to file formal charges against Judge Dotson for the sanctionable conduct that resulted in the Agreement and for non-compliance with the terms of the Agreement.

Judge Dotson's behavior provides evidence that Judge Dotson engaged in conduct that was prejudicial to the proper administration of justice in Maryland Courts, pursuant to the Maryland Constitution, Article IV, Section 4B(b)(1).

These Charges are issued by Investigative Counsel at the direction of the Commission on Judicial Disabilities.

COMMISSION ON JUDICIAL DISABILITIES

Date: 10.26.22

Tanya C. Bernstein  
Director/Investigative Counsel

Date: 10/26/22

Derek A. Bayne  
Deputy Assistant Investigative Counsel

Date: 10.26.2022

Tamara S. Dowd  
Assistant Investigative Counsel

**NOTICE:** YOU HAVE THE RIGHT, PURSUANT TO RULE 18-431(d) OF THE MARYLAND RULES, TO FILE A WRITTEN RESPONSE WITHIN THIRTY (30) DAYS AFTER SERVICE OF THESE CHARGES. YOU MUST FILE EITHER AN ORIGINAL AND ELEVEN (11) COPIES OF THE RESPONSE OR AN ELECTRONIC COPY PURSUANT TO RULE 18-404. THE RESPONSE SHOULD BE FILED WITH THE COMMISSION ON JUDICIAL DISABILITIES.