



Judicial Discipline & Disability Commission

P R E S S R E L E A S E

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FOR IMMEDIATE RELEASE

March 19, 2021

Today the Judicial Discipline & Disability Commission issued agreed public sanctions against two Arkansas judges. The letters of sanction follow this press release and resolve two (2) case files that were pending before the Commission.

A Letter of Informal Adjustment has been issued to Eighteenth Judicial District - West Retired Circuit Judge Jerry Ryan, of Polk and Montgomery Counties, in Commission case #19-188.

A Letter of Informal Adjustment has been issued to Fifteenth Judicial District, Retired Part-Time District Court Judge Dale Lipsmeyer, of Conway County, in Commission case # 20-252.

David J. Sachar, Executive Director



Judicial Discipline & Disability Commission

JUDGE THOMAS FOWLER
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DAVID J. SACHAR
EXECUTIVE DIRECTOR

March 19, 2021

Honorable Dale Lipsmeyer, Retired
Conway County District Court
Morrlilton, Arkansas

RE: JDDC Case No. 20-252

LETTER OF INFORMAL ADJUSTMENT

Dear Judge Lipsmeyer:

You were alleged to have committed violations of the Code of Judicial Conduct in the above referenced case. The following facts comprise the violations which you agree are no longer alleged but proven:

UNDISPUTED FACTS:

- 1) Retired Judge and former Judicial Candidate Dale Lipsmeyer (*hereinafter referred to as "Lipsmeyer"*) was elected as a part time district court judge for Conway County in 2016. His term began on January 1, 2017, and expired on December 31, 2020. In 2020, he was a candidate in a runoff election for the newly created position of District Court Judge for Yell, Logan, and Conway Counties.
- 2) He has practiced as an attorney since 1984.
- 3) During his campaign, Lipsmeyer sent a signed letter to attorneys, and asked for contributions to help offset campaign expenses.
- 4) Lipsmeyer responded to the complaint, cooperated fully with the Commission, and acknowledged the truth of the allegation.
- 5) As a result of the complaint and the investigation by the Judicial Discipline & Disability Commission, Lipsmeyer formed a campaign committee that included a treasurer.
- 6) Lipsmeyer has no history of previous sanctions.
- 7) The essential character of the violation as described by Complaint #20-252 is one governed by Canon 4, Rule 4.1(A)(8)
- 8) Lipsmeyer is informally adjusted for this conduct.

RELEVANT AUTHORITY:

The Judicial Discipline and Disability Commission (“JDDC”) determined, and you agree, that the above described behavior violates the following sections of the Code:

CANON 4

A JUDGE OR CANDIDATE FOR JUDICIAL OFFICE OR JUDGE-ELECT SHALL NOT ENGAGE IN POLITICAL OR CAMPAIGN ACTIVITY THAT IS INCONSISTENT WITH THE INDEPENDENCE, INTEGRITY, OR IMPARTIALITY OF THE JUDICIARY

Rule 4.1 Political and Campaign Activities of Judges, Judicial Candidates and a Judge-Elect in General

(A) Except as permitted by law or by Rules 4.2, 4.3, and 4.4, a judge, a judicial candidate, and a judge-elect shall not: (8) personally solicit or accept campaign contributions other than through a campaign committee authorized by Rule 4.4.

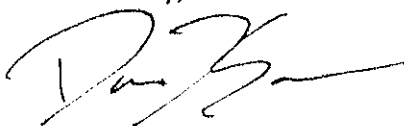
CONCLUSION:

The Investigation Panel agrees that an informal adjustment is the appropriate disposition for your actions in JDDC Case #20-252. Your willingness to accept that your actions were in violation of the Code and your commitment to be more aware of these issues in the future have led the JDDC to refrain from pursuing formal discipline, public charges or a public disciplinary hearing in this case. Additionally, your full cooperation, transparency, and commitment to refrain from this type of action was considered a mitigating circumstance and, as such, the JDDC recommends an informal adjustment. An informal adjustment is a sanction for conduct that is cause for discipline but falls short of conduct that is cause for formal discipline. The purpose is to inform the respondent judge of an issue of concern, remind a justice or judge of ethical obligations, recommend changes in behavior or procedures, or suggest an appearance of impropriety that could be avoided.

In view of these circumstances, it is the judgment of the JDDC that your conduct is hereby informally adjusted for Case #20-252. This informal adjustment constitutes adequate discipline and no further action is warranted.

This Commission action is public information.

Sincerely,



David J. Sachar
Executive Director