

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-291

Complainant: No. 1270910471A

Judge: No. 1270910471B

ORDER

The judge in this matter resigned from the bench effective August 31, 2008, pursuant to a stipulation entered into by the parties. Under the terms of the stipulation, the commission agreed to dismiss this complaint.

Dated: July 17, 2008.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on July 17, 2008.

CJC-07-291

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November 6, 2007

Mr. Keith Stott
Executive Director
Commission on Judicial Conduct
1501 West Washington Street, Suite 229
Phoenix, Arizona 85007

Dear Mr. Stott:

The following information was brought to my attention:

In July 2007, Judge [redacted] provided [redacted] use of a security bypass card. Following the incident [redacted] instructed [redacted] to set a meeting with [redacted] and was in charge due to leave of absence.) Originally, the meeting was going to involve [redacted] Judge [redacted] indicated that he was too busy to meet. [redacted] went to the [redacted] and met with Judge [redacted] anyway. [redacted] gave him a copy of Superior Court Administrative Order 2004-022 regarding security requirements and advised him it was improper to let anyone other than an employee or a person approved to have bypass to have access to court staff areas. He also advised him that if he wanted to continue to use this person, he would need to get permission from the Presiding Judge. Judge [redacted] agreed to get the card back and not allow [redacted] access to secure court staff areas.

Committed to the timely, fair and impartial administration of justice.

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responded to Judge requests to do a background check and process an application for to do volunteer work for Judge court. indicated that while there is not a justice court policy regarding volunteers, is the only person with authority to make this decision. Judge made no such request to me.

On Arizona, was approached by DPS Officer in the lobby of the regarding Judge "personal assistant." Officer said that he observed an individual (male) walk through the courtroom towards the rear of the courtroom with his brief case. The DPS officer wanted to know if this individual was court staff because he used the rear door to enter the judge's chambers. Officer informed Officer that the individual in question was not staff but was a "personal assistant" to Judge . It is our understanding that this personal assistant was

Judge again allowed use of his security bypass card to secure court areas. The enclosed video and security event log for indicate such use.

at approximately 4:45 p.m., entered the submitted to the security screening, proceeded to Courtroom (Judge courtroom) and then was admitted through the back door of the courtroom into the secure staff area and then into Judge suite. The enclosed video dated demonstrates this action.

On at approximately 9:21 a.m., is observed by video to exit the rear of Courtroom (Judge) and proceed into the secure staff area and then into Judge suite. The enclosed video dated indicates this action.

On a recorded video disc there is recorded activity in the immediate vicinity of the rear door to Courtroom and the entry door to Judge suite. The dates covered by this disc are It shows that has relatively free access between Judge suite and the courtroom. It also appears as though entered both the pro-tem's office and the hearing room several times during these periods which are located within the secure staff area. He is also seen several times with some papers/files in his hand going into Judge suite.

Judge knows that allowing to use his or any other security bypass card is not permissible. Judge blatantly disregards court orders and directions putting the court, its files, and financial records and monies at risk.