

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-049

Judge:	No. 1043914889A
Complainant:	No. 1043914889B

ORDER

The complainant alleged that a justice of the peace was abrasive and rude.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: May 14, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on May 14, 2014.

This order may not be used as a basis for disqualification of a judge.

Complaint Against a Judge

Name:

Judge's Name:

Case #:

Courts, Court Room

I entered the court room just before the scheduled time with the victim. I saw my setting to one side and was concerned that we had came late but the judge was working on another case. The judge and staff seemed to be working multiple cases. Just before my wife arrived there seemed to be some confusion over the Probation Officers name and heard the judge say but then there was a question about the victim and I pointed out next to me as the victim. My wife entered and sat with us and when there appeared to be some confusion over a no contact order. My wife raised her hand and identified her self as the of the defendant and was trying to explain to the judge that the no contact information was different from what we and the victim had been told the day before. At this point the judge abruptly interrupted my wife and told her that he had not said she could speak, that this case was not about her and that if she continued to speak that she would be asked to leave the court room. The manner in which he did this made him appear abrasive and rude with no intention of allowing her to explain what she was told by the probation officer. He stated that this case was not about her. She then stood up and exited the courtroom. I was trying to comprehend what was happening when one of the lawyers went out to see her. I then went out as the judge started to work on another case via video. While outside with my wife trying to calm her down the lawyer told her that she had to go back into the courtroom and apologize to the judge or the defendant would not be released. The victim also commented to me that the no contact information was not what she had been told by the PO. We re-entered the court room and my wife apologized to the judge after he finished the video case. He then made a point of calling my wife "The several times during his delineation of no contact and conditions of release to my wife along with the comment about this not being Judge court. I'm not exactly sure when the Judge comment was made but I do recall it being said. The tone and demeanor with which he delivered his lecture seemed to be intended to belittle her for having tried to offer the information which had been given to us and the victim. After stating that was being released from custody my wife went to the jail after work to wait for release then was told that they had no paper work to release him. I have unfortunately had to attend court on several occasions and have served on two juries but this was the first time I'd seen a judge treat anyone, not just my wife, the way this judge did. In my humble opinion this judge owes my wife and everyone in the court room an apology for his unprofessional demeanor and for "making the case about my wife. The recording of the proceedings should bear out my concerns.