

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-069

Judge:

Complainant:

ORDER

A superior court commissioner self-reported a delayed ruling.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner did not violate the Code in this case. Accordingly, the commission's file in this matter has been closed, pursuant to Rules 16(a) and 23.

Commission member Art Hinshaw did not participate in the consideration of this matter.

Dated: May 8, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie
Margaret H. Downie
Executive Director

Copies of this order were distributed to all appropriate persons on May 8, 2018.

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

Dear Members of the Arizona Commission on Judicial Conduct,

I am writing to self-report that I failed to timely process an in chambers non-appearance event scheduled on my calendar for _____ in _____. Although I wrote the ruling and emailed it to my Judicial Administrative Assistant on _____ she failed to transfer my ruling to the _____ system for distribution. On _____ I noted that it had not been completed, and again sent my Judicial Administrative Assistant a reminder by email. On _____

I sent another email to my Judicial Administrative Assistant regarding this matter. I have attached my email communications to my Judicial Administrative Assistant. In addition to these written communications, I had multiple conversations with my Judicial Administrative Assistant regarding the importance of following through regarding processing this in chambers order.

Much to my dismay, on _____ I discovered she had failed to follow through on my many directives. In addition to this matter, I also discovered a number of other deficiencies with her performance. I have terminated her employment.

To ensure that this does not happen in the future, I asked case management to provide me with a list of all matters taken under advisement from _____ to current. I manually checked every file to verify that my orders had been entered in a timely manner. I also met with _____ to discuss this matter. Finally, I am reviewing my calendar to verify that all non-appearance matters have been resulted out with the appropriate in chambers orders.

I am simultaneously filing a request with _____ to amend my certification in accordance with A.R.S. 12-128.01 to reflect this matter.

I believe that I have taken steps to ensure that this does not occur again. My new Judicial Administrative Assistant begins on _____. I will make it a priority to review the need for timeliness with her.

Very truly yours,