

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-271

Judge:

Complainant:

ORDER

The complainant alleged a former justice of the peace conspired to deceive the voters in his county.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 judicial officer did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

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

Dated: December 12, 2018

Copies of this order were distributed to all appropriate persons on December 12, 2018.

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

ARIZONA COMMISSION JUDICIAL CONDUCT
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By the time this is received Mr. Judge the and the will have won the
by a conspiracy to openly violate all the rules that follow.

RULE 1.3

AVOIDING ABUSE OF THE PRESTIGE OF JUDICIAL OFFICE

A JUDGE SHALL NOT ABUSE THE PRESTIGE OF JUDICIAL OFFICE TO ADVANCE THE PERSONAL OR ECONOMIC INTERESTS OF THE JUDGE OR OTHERS, OR ALLOW OTHERS TO DO SO.

RULE 2.4

EXTERNAL INFLUENCES ON JUDICIAL CONDUCT

(A) A JUDGE SHALL NOT BE SWAYED BY PARTISAN INTERESTS, PUBLIC CLAMOR, OR FEAR OF CRITICISM.

(B) A JUDGE SHALL NOT PERMIT FAMILY, SOCIAL, POLITICAL, FINANCIAL, OR OTHER INTERESTS OR

RELATIONSHIPS TO INFLUENCE THE JUDGE'S JUDICIAL CONDUCT OR JUDGMENT.

(C) A JUDGE SHALL NOT CONVEY OR PERMIT OTHERS TO CONVEY THE IMPRESSION THAT ANY PERSON OR ORGANIZATION IS IN A POSITION TO INFLUENCE THE JUDGE.

B) A JUDGE SHALL KEEP REASONABLY INFORMED ABOUT THE JUDGE'S PERSONAL AND FIDUCIARY ECONOMIC INTERESTS, AND MAKE A REASONABLE EFFORT TO KEEP INFORMED ABOUT THE PERSONAL ECONOMIC INTERESTS OF THE JUDGE'S SPOUSE OR DOMESTIC PARTNER AND MINOR CHILDREN RESIDING IN THE JUDGE'S HOUSEHOLD.

C) A JUDGE WHO RECEIVES INFORMATION INDICATING A SUBSTANTIAL LIKELIHOOD THAT ANOTHER JUDGE HAS COMMITTED A VIOLATION OF THIS CODE SHALL TAKE APPROPRIATE ACTION

E)

MAKE USE OF COURT PREMISES, STAFF, STATIONERY, EQUIPMENT, OR OTHER RESOURCES, EXCEPT FOR ACTIVITIES THAT CONCERN THE LAW, THE LEGAL SYSTEM, OR THE ADMINISTRATION OF JUSTICE, OR UNLESS SUCH ADDITIONAL USE IS PERMITTED BY LAW.

(5)

ACTIVELY TAKE PART IN ANY POLITICAL CAMPAIGN OTHER THAN HIS OR HER OWN CAMPAIGN

FOR ELECTION, REELECTION OR RETENTION IN OFFICE

The from the show how they did it. It was apparently a long plan and the the now
seems to have first made his into a in his Then he
got his influence and connections to allow him to take a judge course that does not seem available or

generally publicized for the public. Then he got him to for a in front of at his attorney and statutory agent attorney. Only the judge had this access because it is his company, the that represents. He then did other things like allow the to run his instead of his at the so that people would think the was running and he would not tell reporters how to reach his. He said he would show favoritism if he talked but he did exactly that by not talking. This is in the The also let use the he had used before with the only difference being conspired to violate the same rules with the o gain the seat of the He did not have any information available to the public. Not even a phone. He this at the of the campaign when it was too late already because most votes came in by mail. Then he answered some complaints but not before. By then he took full advantage of fooling the public and conspiring with The should be punished by removal so that this conduct not be encouraged and the be punished by not being allowed to take an election he got in this wrongful way.

The]

Many eyes have been fixed on as he quietly conducts his campaign for. His candidacy initially raised concerns because he is the and of the man who

has been unusually quiet for a candidate running for an elected office, and has stayed largely out of the public eye. This has raised speculation of an attempt to use his to confuse voters into thinking they are voting for the. Over the past several news outlets have attempted to contact for interviews with not much luck.

opponent, is a with a here in He's been upset with campaign strategy, and has talked to the frequently in an attempt to make identity more clear to the public.

On campaign, there is a claim that he completed

A pro tem (short for pro tempore) is a person that works temporarily in the place of an official judge, similar to a substitute. In pro tem judges are required to have at least of experience as a licensed attorney and cannot be less than

does not meet these requirements, since he has never attended and just recently So his claim of completing training for a pro tem judgeship raised a few flags among legal community, including

On accused of lying about the judge training because it isn't possible for him to become a pro tem judge. He also sent emails to several including urging reporters to look into his

said that there are different types of pro tem judge training with different requirements for each one. The training that completed was an online course that came in the form of computer software that can be completed on a self-paced schedule. This is not the same as orientation training for official pro tem judges, which is what assumed was implying in his credentials.

Over reached out to to clarify the specific training that he completed and he responded, to our surprise. It's important to note that although he used vague terms on his never said that he was in a position to become a pro tem judge.

In an email wrote:

The is produced by the Judicial College of Arizona.
Between I successfully completed all of the required modules.

has thoroughly researched this story.
Here are his response and findings on the topic.

As of deadline, could not be reached for comment.

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Flier for candidate for ,

is banking on in the for the

is office, and the , is asking voters in campaign material to help him continue the '

is in a fight for his nascent with lawyer who has been practicing law in

And while isn't a and has never taken the he tells the voting public he has an and has completed the pro-tem judge training.

notes in his campaign materials. Also, he said he is the

said the fight should be about politics — noting in bright red fact check that his political

However, voter registration records show has only got registering to vote in

in their campaign material list endorsements from retired judges.

A late entry into the race is in what is a direct response to candidacy. would be a