

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-396

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Judge:

Complainant:

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**ORDER**

The Complainant alleged a justice of the peace engaged in improper demeanor and improperly disposed of the bond he posted.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

After review, the Commission found that the judge was not patient during the hearing, engaged in behavior that undermined the public confidence in the judiciary, and did not appropriately supervise her staff. While such conduct was improper under Rules 1.2, 2.8(B), and 2.12(A), the Scope Section of the Code of Judicial Conduct provides that it is not intended that every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the Complaint pursuant to Rules 16(b) and 23(a), but to issue a warning letter to the judge outlining her obligations under the aforementioned rules.

Dated: May 14, 2019

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were distributed to all appropriate persons on May 14, 2019.

**CONFIDENTIAL**

Arizona Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

**FOR OFFICE USE ONLY****2018-396****COMPLAINT AGAINST A JUDGE****Name:** \_\_\_\_\_**Judge's Name:** \_\_\_\_\_

**Instructions:** Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

I had posted bond for \_\_\_\_\_ on \_\_\_\_\_  
at the \_\_\_\_\_ and was instructed not to  
fill out the bond release section if I wanted the bond returned.  
I had not had any correspondence with the court and  
when the defendant appeared he told me they said the  
fines were all paid with the bond. I tried numerous times  
to contact the court and was told either the Judge was on  
vacation, or the clerk was gone or talked with another  
lady that said she was new and didn't know what she  
was doing. After numerous failed attempts I contacted  
the \_\_\_\_\_ and the clerk was able  
to contact the \_\_\_\_\_ with the same response but she  
followed up and they scheduled an Order to Show Cause  
for \_\_\_\_\_ - No time was noted on the minute  
entry for the Defendant or myself on the correspondence.  
When I checked in at the clerk's office and they made mention  
they didn't let the defendant know the time to appear either  
and that if he didn't show up if I could please tell the  
Judge that he knew the 2<sup>nd</sup> time to appear.

Once in the courtroom the Judge,  
addressed the defendant, in the matter

and told him it was all his fault for not letting  
the court know he didn't post the bond and that  
typically if someone else post bond after appearing the  
court releases the bond. The judge told the Defendant to  
pay back the money for the bond \$ on the spot  
or he goes to jail. The judge asked if I wanted the  
bond back and I replied yes then she said if I have  
to pay the bond today goes to jail. I ask

if he could continue the payment plan with the courts and  
she said no that if I wanted payments that I could receive  
them from the defendant. I began to say in my opinion  
I don't feel this was handled and I was cut off and the Judge  
said I don't care about your opinion you were rude to my staff.  
If you want your money he goes to Jail. I asked why the bond  
was posted to the fines and the Judge said they do not communicate  
with the jail, which contradicts how they would have information  
to return the bond. She was extremely condescending, between herself  
and the clerks office they made a mistake and were not willing to  
correct it. I mentioned I would contact the judge  
said I don't care. I asked about the paper work from the jail  
to the court and she said that is the Jails problem to  
contact them. The judge and the clerks office operate how  
they choose and bully their way out of their mistakes.  
Hearing was recorded