

SUMMARIES OF JUDICIAL DISCIPLINE CASES DECIDED BY THE ARIZONA SUPREME COURT

This document summarizes judicial discipline cases decided by the Arizona Supreme Court. It does not include summaries of discipline issued by the Arizona Commission on Judicial Conduct (“Commission”). Additional information about cases resulting in judicial discipline can be found at <https://www.azcourts.gov/azcjc>. The cases are listed chronologically.

In re Avalos, JUD-2 (June 26, 1980).

The Commission recommended that a justice of the peace be removed from office for failing to properly dispose of several hundred traffic cases over a six-year period and for engaging in an angry confrontation with an attorney. After the Commission filed its recommendation, but before the court ruled, the judge resigned and agreed never again to seek elective or appointive judicial office in Arizona.

In re Soto, JUD-3 (September 26, 1980).

A justice of the peace abused his position by sentencing defendants in a case in which he was the complaining party; ordering the arrest of a court reporter and having her transported to the court where he ordered her to function as the court reporter in a criminal proceeding; issuing an “investigative subpoena” for a friend to appear in court without making an official record or allowing the prosecutor, bailiff or court clerk to be present; setting bail in a case without conducting or offering a hearing, based upon the judge’s personal acquaintance with the defendants; and using a red light in his personal vehicle to stop a car involved in an accident, effectuating the arrest of the driver, and subsequently conducting the defendant’s preliminary hearing. The judge resigned before the Commission filed its recommendations with the supreme court.

In re Haddad, 128 Ariz. 490, 627 P.2d 221 (1981).

A justice of the peace was censured for summarily dismissing traffic citations of constituents and for filing civil actions on his own behalf in his court.

In re Weeks, 134 Ariz. 521, 658 P.2d 174 (1983).

A justice of the peace was censured for delaying decisions in several cases past the sixty-day statutory period. The judge signed salary affidavits stating he had no matters under advisement in excess of sixty days. Although the judge resigned before the decision was entered, the court nevertheless exercised jurisdiction, reasoning that the potential existed for the judge to run for judicial office again.

In re Scott, JUD-7 (November 6, 1984).

A justice of the peace was censured for giving a false report to the Commission and for questioning a potential Commission witness about his proposed testimony.

***In re Hendrix*, 145 Ariz. 345, 701 P.2d 841 (1985).**

The supreme court censured a superior court judge for entering *ex parte* orders favoring her court clerk in a matter assigned to another judge. The judge also made inappropriate remarks while sentencing a criminal defendant and then allowed her court reporter to delete the remarks from the record on appeal.

***In re Rubi*, 148 Ariz. 167, 713 P.2d 1225 (1985).**

The supreme court censured a justice of the peace for conduct that occurred prior to his holding judicial office. The court found that the judge's suspension from the practice of law for converting the funds of a client and filing a false trust account questionnaire, as well as testifying untruthfully before the Commission, merited public censure.

***In re Haines*, JQ-86-0001 (March 18, 1986).**

The supreme court enjoined a justice of the peace from seeking election or appointment as a judge in Arizona for improperly influencing the police, failing to recuse himself, providing false testimony, and abusing alcohol. The judge resigned from office before the Commission made its formal recommendation.

***In re Goodman*, JQ-86-0002 (April 8, 1986).**

A justice of the peace was censured for falsely certifying that nomination petitions were signed in his presence.

***In re Walker*, 153 Ariz. 307, 736 P.2d 790 (1987).**

The Commission recommended that a justice of the peace be removed from office for improperly involving himself in a recall election and for simultaneously serving as a justice of the peace and member of the town council. After the Commission filed its recommendation, but before the court ruled, the judge lost his bid for re-election. Determining that it retained jurisdiction to do so, the court issued a public censure.

***In re Biggins*, 153 Ariz. 439, 737 P.2d 1077 (1987).**

A justice of the peace was arrested for driving under the influence of alcohol. The supreme court censured the judge after concluding that the DUI arrest constituted conduct prejudicial to the administration.

***In re Ackel*, 155 Ariz. 34, 745 P.2d 92 (1987),
and CV-88-0002-SA (January 26, 1988).**

The Commission determined that a justice of the peace committed willful misconduct by making sexually suggestive remarks to a female litigant applying for a protective order in his court. The judge hugged the young woman and asked her to have a drink with him. This occurred on two different occasions, one of which was tape-recorded by the woman. The supreme court censured the judge, who later resigned and agreed not to seek judicial office again after new allegations of sexual harassment came to light.

***In re Weisenburger*, JQ-88-0001 (January 20, 1988).**

A justice of the peace stipulated to a public censure for conduct relating to *ex parte* contacts, failure to perform duties, and improper judicial demeanor.

***In re Garcia*, JQ-88-0003 (October 14, 1988).**

A justice of the peace stipulated to a censure for sentencing first-time DUI defendants unrepresented by counsel to ten days in jail contrary to law and for not complying with statutory requirements relating to search warrants.

***In re Marquardt*, 161 Ariz. 206, 778 P.2d 241 (1989).**

A superior court judge was convicted in Texas for possession of marijuana, which would have been a felony offense in Arizona. Before the conviction, the Commission recommended to the supreme court that the judge be suspended pending resolution of the Texas criminal proceedings. The supreme court, which decided the case after the judge was convicted and fined in Texas, held that the judge committed a crime punishable as a felony under Arizona law and suspended him without pay for one year. Two years later, the judge was arrested and convicted in a different case involving conspiracy to possess marijuana. He resigned from office. In a separate matter, he was convicted and fined more than \$20,000 for false swearing in connection with his testimony before the Commission.

***In re Lockwood*, 167 Ariz. 9, 804 P. 2d 738 (1990).**

The supreme court censured a justice of the peace for permitting clerks working under his direction to accept guilty pleas and for failing to require his staff to observe the standards of fidelity and diligence applicable to the judge. The court also censured the judge for allowing his staff to give the Commission information he should have known was false and for improperly interfering with a criminal investigation involving his son.

***In re Lehman*, 168 Ariz. 174, 812 P. 2d 992 (1991).**

The supreme court censured a justice of the peace for conduct that would have justified removal or suspension had he not lost re-election. The judge gave special treatment to a defendant arrested on a warrant, used vulgar language in rebuking deputies, ordered the arrest of a reserve police officer for refusing to follow an order in an incident arising out of the judge's personal affairs, demonstrated a desire to retaliate against officials outside his jurisdiction by attempting to secure a temporary appointment in another county and suggesting that another judge lie to justify the appointment, made prejudicial comments in a judicial proceeding involving a person charged with sex-crimes, and participated in *ex parte* proceedings.

***In re Anderson*, 168 Ariz. 432, 814 P.2d 773 (1991).**

The supreme court censured a justice of the peace for conduct that manifested contempt for a person's right to appear before an impartial tribunal. The judge lost re-election. While serving on the board of a community hospital, the judge presided over numerous cases involving the hospital and failed to disqualify himself even after the conflict was made known. The judge further used a bench-side telephone to obtain advice from "friends of the court" (including arresting officers) and resolve pending cases. Finally, the judge participated in *ex parte* proceedings with representatives of the state and disposed of cases in a manner that denied defendants their right to be heard according to law.

***In re Gumaer*, 177 Ariz. 280, 867 P.2d 850 (1994).**

A justice of the peace was censured and suspended for 90 days without pay for conduct that brought the judiciary into disrepute. The judge acted as an intermediary in business dealings between Mexico and casino owners in Nevada, induced a pro tem judge to sign an order in a case in which he had a conflict of interest, interfered in the investigation of a domestic complaint involving his court clerk, permitted *ex parte* contacts by criminal defense lawyers, gave the impression that a local attorney was favored by the court, failed to disclose his wife's employment on a financial statement, ignored court procedures and fixed traffic tickets, allowed his staff to receive gifts, handled a traffic case in which he was the witness, failed to disclose his relationship with attorneys who appeared before him, appointed an acquaintance as a "justice court police officer," and attempted to gain information about the Commission's investigation from court staff, then lied about having done so. The supreme court also required the judge to participate in ethics education courses.

***In re Peck*, 177 Ariz. 283, 867 P.2d 853 (1994).**

The supreme court removed a justice of the peace for willful misconduct in office and for conduct that brought his judicial office into disrepute. The judge reinstated criminal charges against an election opponent after the charges had been dismissed by another judge. The judge also failed to recuse himself in two matters in which he was personally involved and had a conflict of interest and engaged in *ex parte* communications in a third case. As aggravating factors, the court considered similar conduct for which the judge had been previously disciplined and the tone and substance of the judge's communications to the court, accusing the judiciary of persecuting him. The court concluded that removal was necessary to give citizens confidence in the integrity of the judicial system.

***In re Lorona*, 178 Ariz. 562, 875 P.2d 795, (1994).**

A justice of the peace was suspended for 90 days and required to attend ethics training for improperly influencing another judge. The judge intervened in traffic tickets on behalf of her grandson and a long-time friend. The court concluded that the judge abused her office and that her conduct brought the judicial office into disrepute. The court held that the respondent's failure to acknowledge the wrongful nature of her conduct was an aggravating factor and that a non-lawyer justice of the peace is subject to the same ethical standards as a law-trained judge.

***In re Jett*, 180 Ariz. 103, 882 P.2d 414 (1994).**

A municipal court judge was suspended without pay for the remainder of her term for signing an order to release her boyfriend from jail after she had him arrested for domestic abuse. The court held that the judge committed willful misconduct, regardless of her mental condition at the time she signed the order, because she intentionally used her office for a purpose other than the faithful discharge of judicial duties. The court ruled that "grossly improper conduct" of this nature can destroy public confidence in the integrity and impartiality of the judiciary and that substantial weight can be given to a judge's prior disciplinary record in determining the appropriate sanction.

***In re Goodfarb*, 179 Ariz. 400, 880 P.2d 620 (1994).**

The court suspended a superior court judge until the end of his term in office for using a racial slur about a defendant and for habitually using vulgar language in court. Even though the judge had a long judicial career, there was substantial evidence that many citizens had lost faith in his judgment because of his use of racially inflammatory language and chronic use of profanity in official proceedings.

In re Braun, 180 Ariz. 240, 883 P.2d 996 (1994).

A justice of the peace stipulated to a thirty-day suspension without pay and consented to monitoring by the Commission. The judge, who also agreed not to seek judicial office again after his current term, habitually showed up late for court and failed to decide cases or rule on motions in a timely manner.

In re Garcia, JC-94-0005, 180 Ariz. 294, 884 P.2d 180 (1994).

A justice of the peace who lost his bid for re-election after formal proceedings were instituted against him, signed a stipulated agreement that he would not seek judicial office again. The supreme court approved the agreement, which contained admissions that the judge had violated ethical standards by failing to decide cases promptly, by frequently being tardy or absent from the court, and by administering his court improperly.

In re Mirretti, Case 94-017, 181 Ariz. 288, 889 P.2d 1086 (1995).

A municipal court judge was indicted for fraudulent schemes and artifices, theft of public money, bribery and conspiracy to obstruct a criminal investigation -- all felonies. He ultimately signed a plea agreement in which he admitted taking \$478,000 in kickbacks and engaging in a money-laundering scheme during his last eight years on the bench. The judge resigned from the bench and was disbarred by the Arizona Supreme Court.

In re Koch, 181 Ariz. 352, 890 P.2d 1137 (1995).

The supreme court adopted the Commission's recommendation to remove a municipal court judge from office for conduct involving assault, soliciting prostitution, and habitual drinking.

In re Nichols, JC 96-0001 (March 21, 1996).

A justice of the peace who was also a city magistrate entered into a stipulated agreement that enjoined her from seeking election or appointment as a judge in Arizona. The charges against the judge involved unethical resolution of civil and criminal traffic tickets, denying criminal defendants the right to counsel, delaying or failing to perform duties, and improper election practices.

In re Harris, JC-96-0002 (September 20, 1996).

A city magistrate was enjoined from seeking election or appointment as a judge in Arizona in a stipulated resolution. The charges against the judge involved allegations that she failed to follow administrative directives, ignored state laws, exceeded her authority when issuing orders of protection and injunctions against harassment, and engaged in improper *ex parte* communications.

In re Lerma, JC-97-0002 (April 14, 1997).

A superior court judge was censured for use of profanity in chambers and common areas around his chambers and for drafting letters critical of an incumbent county attorney in an attempt to influence the outcome of the election.

In re Bradshaw, JC-97-0001 (June 6, 1997).

A superior court judge was suspended without pay for 90 days for failing to render decisions in 28 cases within 60 days from the date the matters were submitted or taken under advisement. The judge also signed 18 salary certifications in which he falsely stated that he had no causes under advisement for more than 60 days.

In re Fleischman, 188 Ariz. 106, 933 P.2d 563 (1997).

The supreme court censured a superior court judge who negotiated a contract between two private entities while actively serving on the bench. The judge's activities violated the canons barring a judge from practicing law, giving business advice to a person or entity other than one closely held by the judge or his family, or receiving compensation or reimbursement for expenses for extra-judicial activities. The judge's resignation prior to the court's decision limited the available sanctions. As aggravating factors, the court found that the judge failed to request an opinion from the Judicial Ethics Advisory Committee, was less than forthcoming in providing facts about his consulting contract, and attempted to shield those facts by claiming confidentiality. In mitigation, the court noted the judge's long and valuable service, his involvement in an activity that did not negatively affect his performance on the bench, and the fact that he did his consulting work on his own time.

In re Manuz, JC-98-0001 (April 10, 1998).

A justice of the peace was suspended for 90 days without pay and required to take additional training, obtain a mentor judge, and be subject to periodic monitoring for one year. The judge repeatedly failed to conduct preliminary hearings, process criminal cases, and render decisions in a timely manner, and he signed false salary certifications when matters were under advisement for more than 60 days.

In re Morales, JC-98-0002 (September 11, 1998).

A municipal court judge was censured for repeatedly losing his temper and yelling at litigants, for causing a defendant to incur a contempt charge, and for altering the official record in a case to remove an expletive. Additional training and mentoring were also imposed.

In re Pearlman, JC-98-0003 (December 10, 1998).

A municipal court judge was suspended for repeatedly making inappropriate comments to attorneys and defendants, for making offensive and suggestive comments to court staff, and for untimely rulings.

In Re Guzman, JC-99-0001 (January 25, 1999).

A justice of the peace was censured based on his misdemeanor conviction for criminal damage and disorderly conduct, resulting in the imposition of probation, completion of a drug and alcohol screening and rehabilitation program, domestic violence counseling, and restitution.

In re Lamb, Case 99-041 (June 19, 2000).

A justice of the peace was indicted by a federal grand jury for creating a bogus insurance company, fraudulently obtaining insurance premiums from truckers, and laundering money. Following his arrest, the Arizona Supreme Court suspended the judge. The judge eventually pled guilty to conspiracy to commit mail and wire fraud and was sentenced to prison. He agreed to pay \$250,000 in restitution and resign from the bench. Although the Commission opened a file, the matter was officially resolved through the criminal justice system.

In re Curfman, JC-98-0004 (April 20, 1999).

A part-time municipal judge who operated a towing company was suspended for 90 days for refusing to surrender a vehicle promptly to its rightful owner after the state motor vehicle division revoked the title issued to the judge.

In re Montiel, JC-97-0003 (May 26, 1999).

A superior court judge was censured for improper political activities, failure to correct or prevent inappropriate behavior of a *pro tem* judge, participation in another judge's political campaign, and use of court stationery to threaten a police officer.

In re Flournoy, 195 Ariz. 441, 990 P.2d 642 (1999).

The supreme court suspended a superior court judge for 18 months (12 without pay) for repeatedly losing his temper and shouting at attorneys, litigants and court staff. The judge engaged in *ex parte* communications and made inappropriate comments to female attorneys. The judge also tampered with an official court record to conceal a statement he made in chambers that tended to show bias against a defendant whose case was before him.

In re Ventre, JC-00-0001 (January 2000).

A municipal court judge stipulated to a censure for failing to afford a defendant the right to be heard, initiating improper *ex parte* communications concerning a matter on appeal, and then failing to disqualify himself from hearing a subsequent motion for reconsideration on remand.

In re Scholl, JC-96-0004 (February 18, 2000).

A superior court judge was convicted in federal court for filing false tax returns and structuring currency transactions in violation of federal law. The judge resigned from office before the Commission filed a recommendation with the state supreme court to remove him. The Commission found that the judge's gambling became so excessive that an otherwise legal activity turned into an uncontrollable and destructive habit. Following an unsuccessful appeal of the conviction, the supreme court dismissed the matter as moot because the judge had resigned from the bench.

In re Carpenter, JC-00-0002 (January 18, 2001).

The supreme court removed a justice of the peace for habitual tardiness, making off-color remarks to court employees, circulating racist, sexist, and obscene materials,

engaging in improper *ex parte* communications, failing to recuse himself and otherwise creating an appearance of bias, using his judicial position inappropriately, failing to respect the rights of litigants, and failing to adequately perform judicial duties.

In re Irwin, JC-00-0003 (November 29, 2000).

A superior court judge stipulated to a censure and was ordered to attend gender-sensitivity training for making sexually inappropriate comments to an employee, for keeping alcohol in chambers, and for offering drinks to employees after court hours. The stipulation included a provision to reopen the case if the training was not completed, if there was evidence of retaliation by the judge, or if the conduct in question was repeated.

In re Dobronski, JC-01-0001 and JC-01-0002 (February 22, 2002).

A justice of the peace resigned after the Commission filed two recommendations for his removal with the supreme court. The first recommendation for removal was based on the judge making biased and offensive remarks to litigants, displaying handcuffs and threatening defendants with contempt for failing to mediate in good faith, improperly dismissing cases with prejudice, and failing to maintain proper decorum in the courtroom. The judge had been repeatedly intolerant, impatient, sarcastic and patronizing toward defendants in a series of forcible detainer cases and mistreated litigants and attorneys in other cases. The second recommendation for removal related to offensive racial comments. Because the judge had already resigned, the supreme court issued an order enjoining him from seeking or holding judicial office in Arizona.

In re Villegas, JC-02-0002 (November 18, 2002).

A justice of the peace stipulated to a censure for being absent or late while litigants were waiting for scheduled proceedings, performing marriages for compensation during court hours, accepting Mexican driver licenses as a defense to driving without a license for individuals residing in Arizona, and for signing an injunction prohibiting a former political opponent from going near a business he owns.

In re Watkins, JC-03-0001 (December 16, 2003).

A justice of the peace was charged with 29 allegations of incompetence and five allegations of improper decorum in carrying out her judicial duties after she had previously been informally reprimanded and directed to attend additional training. The judge admitted 12 of the allegations, consented to a two-month suspension, and agreed to complete a mentoring program. The supreme court entered an order suspending the judge for 60 days without pay and requiring her to participate in a 90-day mentoring program under the full-time supervision of an experienced judge. After receiving the final report from her mentor judge, but before a compliance hearing before the Commission, the judge resigned from judicial office.

In re Nelson, JC-03-0002 (April 22, 2004).

A superior court judge was charged with having an unprofessional or inappropriate relationship with a female deputy county attorney who regularly appeared before him. The judge was also charged with assaulting his wife. After a hearing, the hearing panel found

that the judge had committed the misconduct alleged and that he had been untruthful in his initial responses to the allegations, recommending that he be removed from office. The judge thereafter resigned.

In re Thomson, JC-04-0001 (April 19, 2004).

A municipal court judge stipulated to a censure for issuing an order that appeared to be a response to the city attorney's legal opinion that the judge's employment contract was invalid; filing a bar complaint against the city attorney that appeared to be retaliatory; incorrectly documenting that a defendant and the city attorney had entered into a plea bargain and that the defendant was satisfied with her attorney's services; going to the defendant's place of employment to discuss documentation of her guilty plea; and using inappropriate and vulgar language.

In re Forgach, JC-04-0002 (April 22, 2004).

A municipal court judge stipulated to a censure for improperly ordering the release of his daughter's friend shortly after the friend was arrested. Because the judge resigned for medical reasons, the supreme court declined further review of the case.

In re Romney, JC-04-0003 (June 29, 2004).

A justice of the peace stipulated to suspension, training and mentoring for incompetence, misconduct, and improper judicial demeanor. A pattern of incidents established that the judge lacked the requisite ability, knowledge, or judgment to consistently and capably discharge the duties of his office.

In re Johnson, JC-04-0004 (August 16, 2004).

A justice of the peace stipulated to a 30-day suspension and ongoing mentoring for ruling in several cases without providing adequate notice to the parties, granting summary judgment on his own motion, issuing inconsistent rulings in a case, and loaning money to a party to post a bond.

In re Hatch, JC-04-0005 (November 26, 2004).

A municipal court judge stipulated to a censure, training, and mentoring for attempting to begin proceedings before defense counsel arrived, for asking the city attorney for legal advice during a trial, for being rude and demeaning toward a spectator and attorney, and for speaking to a witness outside the presence of the parties.

In re McVay, JC-05-0002 (March 22, 2005).

A justice of the peace stipulated to a censure for repeatedly arriving late for court and keeping litigants, attorneys, and staff members waiting.

In re Overson, JC-05-0003 (September 8, 2005).

A judge sitting as both a magistrate and a justice of the peace stipulated to a censure and mentoring for failing to follow mandatory sentencing requirements in DUI and suspended license cases, for shortening mandatory jail sentences, and for appearing to show favoritism when he dismissed charges and waived fines for a county official's relative.

In re Colglazier, JC-06-0003 (December 29, 2006).

A municipal court judge stipulated to a censure for failing to allow a defendant to speak with his attorney after the defendant made three requests to do so, for not continuing the matter to a time when defense counsel could be present, for conducting an informal criminal contempt hearing without complying with the criminal rules, and for raising the defendant's bond without a valid legal basis.

In re Malka, JC-06-0004 (December 29, 2006).

A municipal court judge stipulated to a censure for ordering a husband and wife into custody without allowing them to make a call to obtain legal counsel and arrange child care, and for mistreating several people in his courtroom for minor disruptions, resulting in pending matters being reset.

In re D. Morales, JC-07-0001 (January 22, 2007).

A justice of the peace stipulated to a censure for meeting with a defendant and her daughter and giving them legal advice and then presiding over the case and entering a judgment.

In re R. Morales, JC-07-0002 (January 24, 2007).

A municipal court judge stipulated to a 60-day suspension without pay for issuing an order of protection to a man who was living with the mother of his child and then presiding over the hearing and dismissing the order. A week later, the judge and the mother engaged in several telephone conversations during which the judge told off-color jokes, exchanged intimate sexual information with her, and gave her legal advice on how to obtain an order of protection against the father. The judge also met with the mother and the child at the courthouse, without the father's knowledge, to warn the child that he would put him in jail if he did not obey his mother.

In re J. McVay, JC-07-0003 (September 25, 2007).

A justice of the peace stipulated to a 60-day suspension without pay after having been warned and publicly censured for tardiness in performing judicial duties.

In re R. Bruce Overson, CJC Case No. 07-039 (December 28, 2007).

A city magistrate who was also a justice of the peace resigned from judicial office as part of a negotiated settlement of the judicial disciplinary proceedings against him. In a stipulated agreement, the judge admitted he engaged in misconduct and failed to follow the law based on his desire to act in the best interests of his constituents.

In Re Quentin Tolby, CJC Case No. 08-161 (December 2, 2008).

A pro tem justice of the peace was censured for misconduct in office. The supreme court's order was based on a stipulated agreement in which the judge admitted violating the Code of Judicial Conduct when he told an inappropriate joke while chatting in the courtroom with a court clerk and another woman.

In Re G. Michael Osterfeld, CJC Case No. 08-044. (January 28, 2009).

A justice of the peace was censured for misconduct stemming from an argument with a defendant's father in the courthouse lobby. The supreme court order was based on a

stipulated agreement in which the judge admitted he became angry with the father, threatened him with contempt, and called him an inappropriate name.

In Re Howard D. Hinson, Jr., JC-09-0002 (June 2009).

A superior court judge resigned as part of a negotiated settlement of disciplinary proceedings against him. The judge admitted that he failed to comply with the requirement to rule on matters submitted for decision within sixty days in a number of cases and also admitted he submitted inaccurate salary certifications eleven times during a three-year period. In light of his resignation and based on mitigating factors, the supreme court censured the judge for his misconduct in office.

In Re Patty Nolan, JC-10-001 (June 30, 2010).

A justice of the peace who also served as a municipal court judge resigned her judicial positions and agreed never to serve as a judicial officer again as part of a stipulated resolution. The judge admitted she delayed issuing warrants and decisions in numerous cases, filed false affidavits over the course of several years certifying that she had no matters pending beyond 60 days, and failed to diligently administer her court.

In Re Clyde Andress, JC-10-002 (October 26, 2010).

A municipal court judge stipulated to a censure for engaging in repeated, improper ex parte communications and improperly conducting his own factual investigation in a pending case. Outside the courtroom, the judge contacted potential witnesses and questioned them in connection with a request for an injunction against harassment.

In Re Carmine Cornelio, JC-10-003 (December 9, 2010).

A superior court judge stipulated to a censure for using undignified and discourteous language during a settlement conference. The judge admitted cursing and yelling at one of the attorneys in the conference.

In Re Mark Chiles, JC-11-002 (May 18, 2011).

A justice of the peace stipulated to a censure for repeatedly abusing his power to hold individuals in contempt. On several occasions, the judge held litigants and attorneys in contempt, or threatened to do so, without according them due process.

***In Re Theodore Abrams, JC-11-001 (June 3, 2011;
related opinion issued August 4, 2011).***

A municipal court judge resigned as a result of the city's investigation and finding that he engaged in sexual harassment and retaliation against an attorney who regularly appeared before him. The Commission filed formal charges against the judge for the harassment and retaliation, as well as for engaging in an undisclosed intimate relationship with a second attorney who appeared regularly in his court. The judge stipulated to a public censure and to never against serving as a judicial officer. The supreme court approved the agreed-upon sanctions and also suspended the judge from the practice of law for two years.

In re Caryl Parker, CJC Case No. 11-259, JC-12-0001 (June 1, 2012).

The supreme court censured a pro tem municipal court judge based on a stipulated resolution. The judge admitted violating Rule 2.9 of the Code of Judicial Conduct by engaging in improper ex parte communications and Rule 2.16(A), which required her to cooperate and be candid and honest with the Commission in responding to a complaint.

In re Phillip Woolbright, CJC Case No. 11-111, JC-11-0004 (July 23, 2012).

The supreme court ordered the removal of a justice of the peace, as recommended by a Commission hearing panel. Although the hearing panel also recommended that the judge be barred from ever again seeking judicial office in Arizona, the court permitted him to seek judicial office again after five years. The hearing panel found that the judge violated several provisions of the Code of Judicial Conduct, including Rule 1.2 (“A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety”); Rule 1.3 (“A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge”); Rule 2.4(B) (“A judge shall not permit family . . . interests or other relationships to influence the judge’s judicial conduct or judgment”); Rule 2.11 (“A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned”); Rule 2.12(A) (“A judge shall require court staff . . . to act in a manner consistent with the judge’s obligations under this code”); Rule 2.16(A) (“A judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies”); and Rule 3.1(D) (“A judge shall not engage in conduct that would appear to a reasonable person to be coercive”). The judge had intentionally evaded service of process, had abused the prestige of his office in his personal encounters with law enforcement, and was not candid with the Commission.

In re Lester Pearce, CJC Case No. 11-245, JC-12-0002 (November 26, 2012).

The supreme court censured a former justice of the peace based on a stipulated resolution. The judge did not contest that his conduct violated Rules 1.3, 4.1(A)(2), 4.1(A)(3), and 4.1(A)(5), and constituted conduct prejudicial to the administration of justice that brings the judicial office into disrepute, in violation of Article 6.1, Section 4, of the Arizona Constitution. The factual basis for the stipulation and censure involved the judge’s conduct related to his brother’s legislative recall election.

In re Carmine Cornelio, CJC Case No. 12-177, JC 13-0001 (March 24, 2013).

The supreme court censured a superior court judge based on a stipulated resolution. The judge acknowledged that he failed to maintain patience, dignity, and courtesy with litigants. Further, he agreed that his demeanor could have reasonably led some litigants to feel pressured into entering into settlements. Although the judge had already received both a public reprimand and public censure for similar misconduct, the parties agreed to another censure based on mitigating factors. The judge was also directed to obtain additional education or training and to receive mentoring for six months assisting him in at least 25% of his settlement conferences.

In re Scott Sulley, CJC Case No. 14-114, JC 14-0001 (September 23, 2014).

The supreme court removed a justice of the peace from office based on the recommendation of a hearing panel of the Commission. The judge was charged with violating numerous provisions of the Code of Judicial Conduct and other rules for, among other things, failing to effectively oversee court operations, failing to properly train his staff, maintaining a hostile work environment, exhibiting poor demeanor in court proceedings, and making discriminatory comments. Following a hearing at which the judge did not appear, the hearing panel found the judge had engaged in the alleged misconduct. It recommended that the supreme court remove the judge from office, order that he never be permitted to serve as a judicial officer in Arizona again, and assess costs and fees. The supreme court accepted the hearing panel's recommendations and removed the judge from office, ordered that he be enjoined from ever again serving as a judicial officer in Arizona, and assessed the Commission's fees and costs against him.

In re Anne F. Segal, CJC Case No. 14-219, JC 14-0002 (December 11, 2014).

A justice of the peace stipulated to a public censure based on campaign-related activities that violated the Code of Judicial Conduct and misstatements she made about an investigation by the Arizona Attorney General's Office. The judge agreed that her conduct violated Rules 1.2, 4.2(A)(1), 4.2(A)(3), 4.3(A), 4.3(F), and 4.3(I), as well as Article 6.1, Section 4, of the Arizona Constitution. The judge had received five prior public reprimands for Code violations, including prior violations of Rule 1.2 and 4.3. The supreme court accepted the stipulated resolution.

In re Larry A. Bravo, CJC Case No. 14-373, JC 15-0001 (June 26, 2015).

A justice of the peace stipulated to a censure for co-owning a mining claim with a litigant who appeared before him in two protective order proceedings and failing to disclose this relationship and joint property ownership to the opposing party. The judge did not contest that his conduct violated Rules 1.2, 2.4(C), 2.9(A), 2.11(A), 3.13(A), 3.13(C), and 3.15 of the Code of Judicial Conduct. Additionally, the judge's actions constituted conduct prejudicial to the administration of justice that brings the judicial office into disrepute – a violation of Article 6.1, Section 4, of the Arizona Constitution. The supreme court accepted the stipulation resolution.

In re Howard Grodman, CJC Case No. 14-216, JC 15-002 (September 23, 2015).

After a formal hearing, and upon recommendation of a hearing panel, the supreme court suspended a justice of the peace for 90 days without pay for numerous campaign-related violations. During a contested primary election, the judge used his official court email for campaign purposes, including for seeking endorsements and belittling his opponent with unprofessional and undignified language. He also improperly used robed photographs of himself, campaigned at official court events, posted campaign signs in violation of federal law, and sought out another court employee, asking her to remove her stated support for his opponent from her private Facebook page.

In re Paula Aboud, CJC Case No. 17-019, JC 17-001 (December 4, 2017).

Based on a recommendation from the Commission after an evidentiary hearing before a hearing officer, the supreme court censured a justice of the peace for violating the Code of Judicial Conduct -- specifically, Rules 1.1, 1.2, and 2.8(B); the court further ordered her to pay costs and attorneys' fees associated with the formal proceedings. During Limited Jurisdiction New Judge Orientation, the judge took a copy of an assessment and answer key that belonged to a judge assigned as her table mentor. The assessment and answer key were for an assessment to be administered the next day. At a later date, the judge admitted taking the assessment/answer key, but stated she was attempting to play a prank on her mentor judge. The supreme court censured the judge and directed her to obtain additional judicial ethics training.

In re Lee F. Jantzen, CJC Case No. 17-232, JC 18-0001 (June 15, 2018).

Based on a stipulated resolution, the supreme court censured a superior court judge for failing to timely rule on a petition for post-conviction relief and for submitting false salary certifications stating that he had no matters under submission that were pending and undetermined for more than sixty days. At the time of the complaint to the Commission, the matter had been pending before the judge for more than two years. The judge admitted violating Rules 1.1, 1.2, and 2.5(A) of the Code of Judicial Conduct, Rule 32.6(c) of the Arizona Rules of Criminal Procedure, Article 2, Section 11 of the Arizona Constitution, and Article 6, Section 21 of the Arizona Constitution.

In re Donald G. Roberts, CJC Case No. 17-084, JC 18-0002 (August 23, 2018).

Based on a stipulated resolution, the supreme court censured a justice of the peace for knowingly allowing a court bailiff to simultaneously work for the court and court-service providers. The bailiff received monetary compensation from those providers when he performed services for them pursuant to court orders issued by the judge. The judge agreed that his conduct violated the Code of Judicial Conduct -- specifically, Rules 1.2, 1.3, and 2.12(A), as well as Article 6.1, Section 4 of the Arizona Constitution (conduct prejudicial to the administration of justice that brings the judicial office into disrepute).

