

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 06-235

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Complainant: No. 1292710514A

Judge: No. 1292710514B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The judge faxed a request for the availability of kitchen cabinets to the Habitat for Humanity retail store, which offers surplus or used cabinetry and other fixtures for sale to the public. The store raises money for the charity, and the judge was seeking to purchase the cabinets.

The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: October 16, 2006.

FOR THE COMMISSION

/s/ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on October 16, 2006.

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



SEP 07 2006

CJC-06-235

September 5, 2006

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

Re: Conduct of Judge [redacted] Candidate for [redacted] Justice of the Peace:

1. Failed to keep an Independent and Honorable judiciary, Cannon 1.
2. Failed to avoid the appearance of impropriety. Cannon 2.

Dear Members of the Commission:

Judge [redacted] is the judge filling in the vacant position left by the former Justice of the Peace [redacted]. Therefore, you have jurisdiction over [redacted].

[redacted] is currently running for the seat of [redacted] Justice of the Peace. Recently, I received a letter from the [redacted] Justice Court with documentation dated [redacted] concerning a request by Judge [redacted] to Habitat for Humanity for free kitchen cabinets in his home located in the [redacted] Justice Court precinct. The clerks who sent the letter want to remain anonymous. Habitat for Humanity is a nonprofit organization which helps indigent families. They will either assist the indigent person or family or assist a landlord who will rent to such a family. Judge [redacted] owns [redacted] homes. [redacted] He is also earns approximately [redacted] per year. Why would he be entitled to free cabinets?

Presently, it is unknown whether Judge [redacted] received the kitchen cabinets free. When I called Habitat for Humanity to ask if Judge [redacted] was given free kitchen cabinets, they would not give out that information. If Judge [redacted] received the free kitchen cabinets, he is in violation of Judicial Cannons 1 and 2.

Cannon 1A states: "A judge shall uphold the integrity and independence of the judiciary."

If [redacted] obtained the kitchen cabinets free from Habitat for Humanity, he is violating Cannon 1A. Cannon 1A requires that a Judge uphold an Independent and honorable judiciary which are indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing high standards of conduct and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. If Judge [redacted] obtained the kitchen cabinets free, the public will not view the judiciary as being independent. The public will view the judiciary as an entity that will give Habitat for Humanity preferential treatment.

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Cannon 2A states: "A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities."

Again, if Judge  obtained the kitchen cabinets free, the general public will feel that Habitat for Humanity will receive preferential treatment. This is the appearance of impropriety.

The general public will also feel that the persons in power such as judges will be able to get items free when they are made to pay for the items themselves. Again this is the appearance of impropriety.

If you do not feel it is worth investigating, please feel free to withdraw my complaint.

Sincerely,

Enclosure: Copy of Judge  letter, clerks' letter and kitchen cabinet dimensions.