

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-214

Complainant: No. 1342510751A

Judge: No. 1342510751B

ORDER

The commission reviewed the complaint filed in this matter and found no clear and convincing evidence of ethical misconduct on the part of the judge.

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

Dated: December 12, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on December 12, 2008.

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

State of Arizona
Commission on Judicial Conduct
1502 W. Washington Street, Suite 229
Phoenix Arizona 85007

CJC - 08 - 214

I am currently seeking election to the position of Justice of the Peace, _____ resigned from this position _____ due to a serious illness. _____ the _____ County Board of Supervisors appointed _____ to fill the unexpired term.

I was appointed to be a Pro Tem judge

I advised a clerk that I would not be available again until _____ as I was teaching three law-related courses _____ and preparing my Ph.D. dissertation. I only worked sporadically and judges told me that financial cutbacks had curtailed the use of pro temp judges.

I was notified that it was necessary for me to re-submit my application for the _____ Courts. After submitting the same resume, I was informed that I was no longer eligible to serve as a judge Pro Tem for the _____ Courts. I continue to serve as a

I make the following allegations of misconduct by Judge

1. Judge _____ was on a committee that reviewed my application to be a Pro Tem after I declared my candidacy _____ At the time, Judge _____ was the appointed _____ and was circulating nominating petitions for his election. He then later used an allegation that I was "asked not to return as a Pro Tem" in a fundraising letter

2. Judge _____ authorized the fundraising letter in which Judge _____ is described as being an appointee

3. The letter states that Judge _____ opponent "in her few days as a Judge Pro Tem diminished herself and the court to the point where she was asked not to return as a Pro Tem." This is a fabrication. I have never been advised of such a request and, in fact, was re-appointed two times. To the best of my knowledge,

none of the judges of the Courts observed me during any court proceedings. The Court dismissed me after I initiated my election campaign.

4. The letter states, "she is well-financed and expected to spend campaign funds disproportionate to other contested elections." I am not accepting any donations for my campaign and will absorb all expenses as a personal obligation. My extent of campaign expenditures is an exercise of my Constitutional rights.

5. The publically-disseminated letter indicates that I am not "aptly mannered for the difficulties inherent with a large case load." This is a fabrication. I served as a Magistrate Judge, as an Assistant District Attorney and as a Public Defender. I frequently resolved fifty to sixty misdemeanor, civil and traffic cases a day. I am a licensed attorney in four states. I also received compliments from the clerking staff regarding my efficiency.

6. I was contacted by an individual whom Judge had personally phoned and questioned why the signatory signed my petition. This person is a newly registered, teen-age, first-time voter. This signatory expressed personal concern about being contacted by Judge

7. The fundraising letter is paid for by the Committee to Elect
No treasurer is designated, as required by law.

8. The letter refers to the "re-election " Judge "to the position he has assumed." Judge has never been elected.

9. Judge has a profile available through the Courts. In the profile he indicates that he was selected from "numerous applicants." Two people applied for the position.

10. The fundraising letter was signed by
The letter fails to mention that represented Judge in an unsuccessful challenge to my nomination petitions.
finding for the Defendant and affirmed by the Arizona Supreme Court
This solicitation for donations and/or votes fails to note that a presumptive indebtedness and attorney-client relationship exists between the Judge and