

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-106

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Complainant: No. 1391510847A

Judge: No. 1391510847B

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**ORDER**

The complainant alleged a superior court judge delayed taking action on his appeal of administrative decision. The commission reviewed the matter and found no evidence of ethical misconduct on the part of the judge. Although the statute does require judges to prioritize administrative appeals, the judge did not miss any statutory deadlines. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: June 14, 2010.

FOR THE COMMISSION

\s\ Keith Stott

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Executive Director

Copies of this order were mailed to the complainant and the judge on June 14, 2010.

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

Date: 04/23/2010

To: State of Arizona  
Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, AZ 85007

Re: Delay in any action on Administrative review of judicial decision / Yuma Superior court case #

I filed a complaint with the Arizona Superior court on 02/11/2010 for a review of an Administrative decision in which the plaintiff's son was long term suspended by Yuma School District one. On my part, I have filed a request for an evidentiary hearing along with several motions to compel the defendants to comply with the notice of action that was served to them in compliance with ARS 12-911 (A).

There has been no action on the part of the court judge  
pursuant to 12-910. Scope of review

From my understanding

A. An action to review a final administrative decision shall be heard and determined with convenient speed. If requested by a party to an action within thirty days after filing a complaint, the court shall hold an evidentiary hearing, including testimony and argument, to the extent necessary to make the determination required by subsection E of this section. The court may hear testimony from witnesses who testified at the administrative hearing and witnesses who were not called to testify at the administrative hearing

There has been no action on my case and my son continues to be harmed by his placement in an alternative school as stated in my initial court complaint. These special action cases are supposed to be handled in an expedited manner and there has been no action on this case and it has been two month.