

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-301

Complainant: No. 1432110957A

Judge: No. 1432110957B

ORDER

The complainant alleged that a pro tem superior court judge abused the prestige of his office and acted unprofessionally as an attorney.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant and the judge's response, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: February 23, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on February 23, 2012.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2011-301

COMPLAINT AGAINST A JUDGE

Your name: _____

Judge's name: _____

Date: _____

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.
Gentlemen:

I am attaching a true copy of the first 4 pages of a Federal Court filing by Mr. _____ seeking to claim attorney's fees against my client and myself. As shown in the portion I have underlined, Mr.

_____ has submitted, among other of his honors, that he is an appointed pro tem Superior Court judge since July 2008. This is, of course an attempt to convince the judge that he should be awarded up to \$400 per hour. I think that is a clear violation of Rule 1.3 of the Judicial Code. As I understand it the Attorney Ethics Rules require me to report this.

While I am not sure of this, I do believe he has been violating the professional rules also. I am enclosing our most recent email correspondence which is certainly not the only non-professional response to me but is the clearest response. He won the case and still responds as the "victor."

(Attach additional sheets as needed)