

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-154

Complainant:	No. 1443910540A
Judge:	No. 1443910540B

ORDER

The complainant alleged that a justice of the peace and superior court judge committed legal error in deciding two cases.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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, the commission found no evidence of ethical misconduct and concluded that the judges did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of judicial rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: July 25, 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 July 25, 2012.

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

May 25, 2011

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

JUN 06 2012

On the night of the incident my son _____ was read, but not only not given his Miranda rights, he was told no when _____ asked for an adult to be present. _____ was a minor at the time and went to juvenile detention that night. The words that _____ used that night without an adult being present during this time, and I was sent to jail overnight. The next morning I plead not guilty. When I went to trial I asked Judge _____ if I could have an attorney to represent me. She told me no.

It is to my understanding that when faced with a juvenile an officer must make sure his juvenile Miranda rights are given (not just read). It is also believed that when one who is read his or her rights and is arrested and spending the night in jail, is entitled to a defense attorney to be appointed to them.

This decision was appealed and the appeal was denied in the _____ Superior Court by Judge _____