

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-191

Complainant: No. 1446900088A

Judge: No. 1446900088B

ORDER

The complainant alleged that a justice of the peace improperly issued a bench warrant for her arrest.

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 electronic court records in the case, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the judge's ruling. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: August 31, 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 August 31, 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

2012-191

JUL 16 2012

COMPLAINT AGAINST A JUDGE

Your name: _____

Judge's name: _____

Date: 7.13.12

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.

Earlier this year I had to get finger printed to become a Volunteer Court Appointed Special Advocate. When the results came back it showed I had a warrant for my arrest-which I knew nothing about.

I immediately called the courts and found out it was because of a traffic ticket that I received in 2004 (November). I moved to CT and got married in Dec. 2004 so must have forgotten, and never received further communication until the CASA phone call.

Once I learned of this I immediately paid all fines and filed a motion to quash the warrant. Please keep in mind I returned to AZ in 2006, got a drivers license and had no problems doing so.

I received notice from the court (copy attached) that the warrant would be quashed on 6/29/12 at 9:30 AM. I did not receive anything telling me I had to appear, so I assumed it was a formality.

(Attach additional sheets as needed)

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Again, this is an 8-yr-old case, all fines were paid, and I have never been in trouble with the law, I truly thought it was a formality. As I am the one who filed to quash the warrant, I would never just not show up had I known.

Last week I received this letter AND notice stating that my license was suspended, a warrant for my arrest remains with a \$3500 bond and the judge instructed that the Clerk of the Court no longer accept filings from me.

I immediately called the court to explain my case and was told I must pay the \$3500 bond or hire an attorney.

I want to be clear that there was no letter with the first notice, or anything given to me stating I had to appear. As you can see, I didn't even sign the form to acknowledge receipt as I didn't know about it.

Judge:

After speaking with two attorneys, and two State Senators, I was told to file this complaint as it seems to be a very unfair and unjust judgment for a case that is so old, has no fines associated with it, that I have done all I can to take care of with little to no written help from the courts.

Because of this 8 year old ticket and subsequent warrant I am not able to complete my certification to become a Court Appointed Special Advocate on behalf of abused or neglected children

I respectfully request and appreciate any assistance you can give me. Sincerely,