

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Case 13-045

Judge:	No. 0308110819A
Complainant:	No. 0308110819B

ORDER

A superior court judge self-reported an error in his 2008 application for appointment to his judicial position.

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 judge, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the matter is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: April 26, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

A copy of this order was mailed to the judge on April 26, 2013.

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



2013-045

MAR 11 2013

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

March 10, 2013

Arizona Commission on Judicial Conduct
Attn: George A. Riemer, Executive Director
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

Re: Typographical Error in 2008 Superior Court Application

Dear Commissioners:

I write to report an error in my 2008 Superior Court Application ("my 2008 Application"). I am filing this letter in the interest of candor with the Commission on Judicial Conduct.

My grade point average from law school was 89.44. I erroneously listed my grade point average on my 2008 Application as 89.48. The net difference between the two grade point averages was 4/100ths of a point. Over my entire law school career, it would mean the difference of a single point in one, four-credit class. For example, if my grade in one, four-credit class was an 89 instead of an 88. The error would not suggest a material difference in my law school performance to any anyone reading my 2008 Application.

I did not know that the grade point average was incorrect when I listed it on my 2008 Application. I learned of the mistake on March 8, 2013, when I received a copy of my law school transcript for use in preparing a different application. I reviewed my files to identify the source of the mistake, and I believe it is the result of a typographical error in a document that I prepared several years before I completed my 2008 Application. In hindsight, which is always clearer, I would have been better served to have ordered a copy of my law school transcript when I completed my 2008 Application.

I regret and take full responsibility for the error, but I submit that it was not a material error. I graduated magna cum laude, which would have been the case whether my grade point average was 89.44 or 89.48. An 89.48 grade point average would not have changed my class standing. And the law school considered students with an 89.44 and an 89.48 grade point average as performing at the same level.

I will ensure that I correctly identify my grade point average in any documents that I prepare in the future.

Sincerely,