

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-119

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Judge:	No. 1093530810A
Complainant:	No. 1093530810B

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**ORDER**

A superior court commissioner voluntarily reported making an inquiry regarding jury service on behalf of a family member, which could have been perceived as abusing the prestige of her judicial office.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. Accordingly, the matter is dismissed, pursuant to Rules 16(a) and 23.

Dated: June 18, 2013.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

A copy of this order was mailed to the commissioner on June 18, 2013.

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

Dear Committee on Judicial Conduct

I am writing to self-report an incident that occurred on \_\_\_\_\_ that may be perceived as a violation of Rule 1.3, Avoiding Abuse of the Prestige of Judicial Office.

On Mother's Day, May 12, 2013, I was celebrating with my sister-in-law, \_\_\_\_\_ who is an \_\_\_\_\_ with Pima County. I learned that she had been selected for Grand Jury duty. She was in a state of great distress as the grand jury is held on the 16th floor of one of the downtown offices. She suffers from claustrophobia and is unable to ride in elevators. She told me she did not know what to do as she was in a state of panic.

Neither my sister-in-law nor I knew what the procedures were to ask for an excuse from the grand jury. I told her that I would call the Jury Commissioner, who is a classmate of mine from law school, to inquire about what process might be available to her to seek a recusal.

On \_\_\_\_\_ I called our Jury Commissioner. I explained that my sister-in-law had been selected for Grand Jury, that she had claustrophobia and that she was having a panic attack about having to get to the 16th floor of the County building. I asked \_\_\_\_\_ what process was available to my sister-in-law at this late juncture. \_\_\_\_\_ advised that the only available remedy was to write a letter to the Presiding Judge. I thanked her, and left my sister-in-law a message indicating she should write a letter to \_\_\_\_\_ explaining the details of her personal circumstances. I did not assist her in writing a letter. I have not seen any letter that my sister-in-law might have submitted.

It was certainly not my intent to violate Rule 1.3, Avoiding Abuse of the Prestige of Judicial Office by calling \_\_\_\_\_ in hindsight, I understand there may be a perception that I used my position to gain favor for my sister-in-law. In the future, I would advise anyone with questions on jury duty to contact the Jury Commissioner themselves.

Please let me know if you would like me to address this matter further.

I would be happy to answer any questions that you might have of me.

Very truly yours,