

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-197

Judge:	No. 1061130810A
Complainant:	No. 1061130810B

ORDER

A superior court judge voluntarily reported a delayed ruling.

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 review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission approved sending the judge an advisory letter recommending the judge's review of Formal Ethics Advisory Ethics Opinion 06-02. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: October 22, 2013.

FOR THE COMMISSION

/s/ Louis Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judge on October 22, 2013.

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

AUG 06 2013

August 5, 2013

Hon. Luis Frank Dominguez
Chair, Commission on Judicial Conduct
1501 West Washington, Suite 229
Phoenix, Arizona 85007

RE: Self-Reporting of Violation of Judicial Code

Dear Judge Dominguez:

I am self-reporting a violation of the Code of Judicial Ethics. I certified on July 31, 2013 that I had no matters under advisement for more than 60 days. That was technically correct. However, I had a Motion for Change of Judge filed by a defendant on his own, although he was represented by a lawyer, on June 3, 2013, and I did not rule on the motion last Friday, which was the 60th day. I am issuing a ruling on the motion today.

This matter was given to my law clerk by my judicial assistant for response. I am not sure whether I saw the motion or not. My law clerk, who has been studying for and taking the bar examination, discovered it in materials on his desk this morning. Regardless of the reason for this delay, it is my responsibility for not being aware that the matter was before me and that I had not yet ruled on it.

As the result of this issue, we are instituting new procedures in my chambers. Any new matter that comes in to my chambers will be logged in by my Judicial Administrative Assistant with a date for ruling noted. This log of matters will be reviewed by me on a weekly basis, so that I am aware of every matter that has not yet been ruled upon. We will institute procedures to be sure that all documents that come into the office go to the Judicial Administrative Assistant first for logging in, so that nothing is missed. I will also make it my practice to review this log every Friday afternoon, so that I am aware of all items that are pending. We will not delete any items until a ruling has been issued.

I apologize to the judiciary as a whole for this breach of my ethical responsibilities:

Very truly yours,