

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-328

Judge:

No. 10335A

Complainant: Self-report

ORDER

A pro tem superior court judge voluntarily reported two inadvertently delayed rulings and the delayed submission of her compliance certificate.

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. Accordingly, the matter is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: February 3, 2014.

FOR THE COMMISSION

/s/George Riemer

George A. Riemer
Executive Director

A copy of this order was mailed to the judge on February 3, 2014.

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

2013 328

DEC 11 2013

Superior Court of the State of Arizona

110 W. CONGRESS STREET
TUCSON, ARIZONA 85701

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

Re: Judicial Certification for

Dear Commissioners:

Enclosed please find the letter dated _____ addressed to
in which I self reported my failure to file a Judicial Certification for

Please feel free to contact me should you have any questions.

Thank you for your time and courtesy.

Superior Court of the State of Arizona

110 W. CONGRESS STREET
TUCSON, ARIZONA 85701

Re: Judicial Certification for

Dear

I regret that I must self report a failure to submit my compliance certification for
I am currently compliant but was not in compliance at the time it was due.
Two (2) matters taken under advisement were filed outside of the sixty (60) days:

was due on and filed on This
matter was to be taken under advisement after receipt of written closing argument by
counsel for the parties. Unfortunately, the matter was not properly calendared.

was due on and filed on
In this matter my calendared the under advisement but did not keep me apprised of
the upcoming due date until after the deadline passed. Unfortunately I did not input the
due date on my own calendar. I recognize that I am responsible for ensuring that all
rulings are completed in a timely fashion and fully accept responsibility for this matter.
In the process of preparing this letter a check of the legal file—both hard copy and
electronic versions revealed that the ruling is not in either location. My recalls
personally filing it with the Clerk of Court in I have since refilled the ruling.

My Division maintains and processes cases in a timely and efficient manner. These
inadvertent lapses were the result of miscommunication and a heavy caseload. A lack of
sufficient communication between my and me resulted in these late filings. It is
obvious that the procedures that were in place were not sufficient to protect against late
filings I am embarrassed by these shortcomings and regret that they occurred. I have
taken steps to minimize the reoccurrence of a lapse of this type.

The following administrative changes have been implemented to ensure that this does
not occur in the future:

1. A calendar is posted in a conspicuous location and is updated regularly by the

2. A separate list (in addition to the one cited above) maintained by the [redacted] is emailed to me as it is updated.
3. The deadlines are inputted in my Outlook calendar including reminders at [redacted] and one [redacted] before the deadline.

I realized the need to self report the late filing of these matters. The certification was put aside so that I could properly address the matter. The certification became inadvertently attached to another document and was only recently discovered. I am generally well organized and efficient. I have no other explanation.

As further information, but not as an excuse, I believe you should know I am the [redacted] and [redacted] for my elderly [redacted] who resides with me. Our primary caregiver left us between [redacted] and [redacted] when her father fell gravely ill. I was forced to utilize agencies to provide care for my [redacted] while I was at work. This proved to be challenging and time consuming as the new providers had to be trained on my [redacted] care and management. I also had to be available for meetings with nursing staff who were required to visit my mother while the agency was being used. In addition, I suffered an injury to my right hand in [redacted] making it difficult to function and requiring medical appointments to address this issue.

I am confident with the implementation of these changes the issues have been resolved. I humbly request that a finding of good and sufficient cause exists to suspend the application of A.R.S. §12-128.01 be made.

Thank you for your time and courtesy.