

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-020

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Judge:	No. 1081714859A
Complainant:	No. 1081714859B

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**ORDER**

The complainant alleged a superior court judge was discourteous, prejudged the case, and coerced a settlement.

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 does not have jurisdiction to review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: March 20, 2014.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on March 20, 2014.

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

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

**FOR OFFICE USE ONLY**

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**COMPLAINT AGAINST A JUDGE**

**Name:** \_\_\_\_\_ **Judge's Name:** \_\_\_\_\_

**Instructions:** Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

Socrates said, " Four things belong to a judge: to hear courteously, to answer wisely, to consider, soberly, and to decide impartially." I have not been afforded any of these things by Judge \_\_\_\_\_ I feel that Judge \_\_\_\_\_ has behaved with Judicial Misconduct in the following ways:

**Discourtesy-**

Judge \_\_\_\_\_ has shown discourtesy toward me, my fellow co-defendant as well as my attorney and has failed to conduct court proceeding with a suitably judicial demeanor. He has been hostile, rude and impatience I feel he has treated proof and evidence submitted by me in my defense as a waste of the courts time. In addition he has made me feel that I am a waste of the courts time. After each court appearance I have left feeling ashamed and humiliated. He has shown extreme disrespect to my attorney by turning his back to him while he was speaking and giving the impression that he was not listening. He has made facial gestures as to suggest disbelieve, irritation, disinterest, and to be honest disgust, when I or my co-defendant have had dialogue with him.

**Partiality and prejudging-**

Judge \_\_\_\_\_ has shown extreme partiality toward the opposing counsel and her clients. He has allowed opposing counsel to engage in unethical, abusive and unprofessional behavior toward me, my co-defendant and my attorney. I have felt at times as though the opposing counsel (who is a former judge) was in charge of the courtroom more than the presiding judge. Judge \_\_\_\_\_ has never demanded any proof or evidence from opposing counsel to substantiate their case. In contrast I have submitted overwhelming evidence, hired an expert to support my claims and this evidence has been largely ignored or denied as fraudulent. Judge \_\_\_\_\_ has prejudged this case from the beginning and he has not permitted any amount of evidence or testimony to open his mind. At the last court hearing he so much as said that he did not see any way of me prevailing in this case. I feel that the upcoming trial is nothing more than a sham. I fully expect to NOT receive a fair trial.

**Coercing settlement-**

At the settlement conference Judge \_\_\_\_\_ coerced my co-defendant, to settle. Without consideration of all the facts of the case, hearing from witnesses or seeing evidence he stated that it would be in co-defendants best interest to settle in favor of the opposing party. I do not know if he advised the opposing party in the same way. In fairness I know that a judge should encourage settlements, but this took on the air of a high pressure

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pressure salesman trying to sell a time share. In addition Judge \_\_\_\_\_ coerced me, who was not a party to the case at the time, to participate in the settlement conference. I was not there as a representative of the codefendant and had no authority to enter into any kind of binding agreement. However in Judge \_\_\_\_\_ haste to get this over with, he let me, without benefit of any legal counsel, to agree to demands made by the opposing party. Later when I fully understood what I had agreed to I refused to abide by the agreement. I feel this was a huge error on the part of Judge \_\_\_\_\_ and should have never have been allowed. I was brought in as a third-party defendant by opposing counsel in order to force this ill-gotten settlement agreement.

Improper comments on evidence-

Judge \_\_\_\_\_ has made numerous comments about evidence submitted, complaining about the voluminous of it, the ridiculousness of it and even so far as to insinuate that it is fraudulent.

Closing thoughts and opinions-

I looked to the judicial system to be treated fairly and have a fighting chance in facing this legal action and I don't feel as though I have been given. This experience has done nothing for me except to further my belief that the judicial system is broken beyond repair. It has weaken even more what little faith I had that the average person can go to court and receive justice. I live \_\_\_\_\_ and it is widely believed by the majority of residents in this county (except by the wealthy and powerful) that the court system is corrupt. This is expressed to me most adamantly by people over the age of 65. Anyone going up against a person or entity that is wealthy or powerful will find doors slammed in your face by local attorneys. Citizens are forced to seek counsel outside of this county. Friends and family that have closely monitored this case have been shocked, outraged and bewildered, but unfortunately not surprised, by the conduct of this court. I cannot say with certainty what influence there has been over my case due to the fact that the opposing party is of a much higher socioeconomic class than that of me or my co-defendant. I also cannot say how much of an influence opposing counsel's history with the court system has had on this case and the court. She served as a judge in this county and has worked for \_\_\_\_\_ Attorney's Office and the City of \_\_\_\_\_.

My hunch is that they both have played a part in the treatment of me in this case. As I stated I cannot say for certainly that they had any bearing on this case so I will

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not and therefore these issues should not be considered a part of my compliant and are only my thoughts and opinions.