

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-122

Judge:

Complainant:

CORRECTED ORDER

The complainant alleged that a justice of the peace had failed to properly oversee his staff.

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 a private advisory comment to review Formal Advisory Ethics Opinion 98-02 (Disqualification Considerations When Complaints Are Filed Against Judges). The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: January 7, 2015

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Hon. Louis Frank Dominguez
Commission Chair

Copies of this corrected order were mailed to the complainant and the judge on January 7, 2015.

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

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name: _____

Employee's Name: _____

I believe Judge _____ has committed conduct in violation of Rule 1.11, 1.12 and 2.12 as follows:

FACTS

Judge _____ has _____ who consistently violates the rules of the Code of Conduct for Judicial Employees as described herein and may possibly be committing a felony in the performance of _____ duties as a _____

I am authoring this complaint as I and others have been harassed by a _____ in Judge _____ office for many years. Despite my attempt to have this behavior stopped, it continues unabated to this day. This abuse has finally reached a point I can no longer tolerate, as I am afraid to use public services to which I am entitled as a taxpayer and resident of this State.

In _____ I was a named Defendant in an action in Judge _____ Court. I went to the Court to file an answer and met for the first time _____ When I attempted to _____ first told me that nobody was allowed to _____ and that I would have to hire an attorney if I wanted to _____ I told _____ was wrong. Then _____ grabbed the _____ and said _____ had to approve it first. _____ spent about five minutes reading it, then _____ of its content, accepted it _____ and _____ was very rude and abrasive and it was clear I had made an enemy by questioning _____ authority. I ultimately _____ the case with the _____ accept. I submit that it is the Judge's responsibility to approve or deny Motions, and _____ is only _____ and has no authority to read the contents of, then pass judgment on the legal arguments contained in a motion _____ When _____ does this, _____ is acting as the Judge _____ or as an attorney by "pre-ruling" on the content of _____ for which

After this, I wrote a letter to the Judge about _____ behavior, but never received a response.

In _____, I went to the Court and asked to view a then current Court file to which I was not a party. _____, I was directed to _____ and gave _____ the case number. _____ asked me why _____ and I told her it didn't matter why, that _____ it was public case information. _____; that _____ had the right to charge _____ for anything that required _____ It is important to

note that [redacted] never said the Court could charge a fee, but that [redacted] I refused to pay and [redacted] refused to [redacted], which is situated about [redacted] window.

In [redacted] I again went to the Court to [redacted] file in which I was [redacted] and I asked if there was [redacted] with and was told [redacted]. I supplied the case number and asked to obtain a copy of the complaint in [redacted] and once again was [redacted] this. I explained it was [redacted], and I was not required to [redacted]. This time I was chastised by [redacted] and publicly humiliated in front of other people [redacted]. I was told that all [redacted] and if I ever argued with [redacted] again I would be [redacted]. This was very interesting as it was not me, but [redacted] who was hostile and rude by denying me the right to [redacted]. I was only asserting my rights, so [redacted] threatened me. After being subjected to the vitriol of [redacted], embarrassed and appearing to be sufficiently contrite, I was ultimately allowed to [redacted]. Again, this happened with other members of the public close enough to cause my embarrassment and no small amount of humiliation.

In yet another instance of [redacted] behavior, late in [redacted], I contacted [redacted] about serving an [redacted] upon someone located within the [redacted]. He told me he would do it and what the charge would be. Following his specific instructions, I went to see [redacted] at the [redacted] with the [redacted] refused, saying I had to tell [redacted] the basis for the [redacted] and that [redacted] would have to [redacted] and [redacted]. Once [redacted] of the documents contained within the envelope, [redacted] or allow me to obtain the service of [redacted]. [redacted] told me to go to another City and find another [redacted]. An argument ensued, and I had to call [redacted] on my [redacted]. Only after that call would [redacted] let me obtain the [redacted] services. Again in public, I was forced to defend myself against this [redacted] and [redacted] policies for procedure in [redacted] court. More embarrassment for me.

Most recently, I received an anonymous call that my [redacted] and I had been named in a civil action. Since [redacted], I have been forced to find work [redacted] and often [redacted]. I have been working as far away as [redacted] and [redacted]. I am not currently working near [redacted] and was unable to go to the Court myself.

I called my [redacted] who is in [redacted] and asked her to go to the Court and get a copy of the [redacted]. My [redacted] went to the court with the case number and was directed to [redacted] who told [redacted] in no uncertain terms that the [redacted] for [redacted] trouble to [redacted]. My [redacted] explained that [redacted] had the right to [redacted]. My [redacted] refused, explained that this was public information. [redacted] said would gladly [redacted].

My [redacted] but would not [redacted] denied the
[redacted] told me that [redacted] was extremely hostile towards [redacted].
I then called someone else I know in the [redacted] area and asked [redacted] to try
and [redacted]. I told him there was a [redacted], which
was prepared to [redacted]. He went to the Court and [redacted] queried [redacted] as to
[redacted] and told [redacted].
[redacted] also told me that [redacted], but
after [redacted] objected, [redacted] backed down and
My friend then called me to tell me that [redacted] was a particularly
and [redacted].

*¹Attached hereto and incorporated by reference is a copy of the very Post-it Note
which my [redacted] handed to [redacted] explaining [redacted] Everything
was written by [redacted] except the notation of [redacted] which was
written by [redacted] before [redacted] handed the Post-it back, ultimately denying
to [redacted] refused to [redacted].*