

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-371

Judge:

Complainant:

ORDER

A pro tem superior court judge self-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 advising him to review Formal Advisory Ethics Opinion 06-02 (Prompt Disposition of Judicial Matters) and to implement procedures to avoid similar delays in the future. The Commission's file in the matter was closed, pursuant to Rules 16(b) and 23(a).

Dated: February 5, 2015

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

A copy of this order was mailed
to the judge on February 5, 2015.

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



2014-371
TELEPHONE

JUDGE PRO TEMPORE

Executive Director
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

Subject: 60-Day Rule

Dear Mr.

It has come to my attention that a case assigned to me was set for a Hearing by my office on a on at . The Hearing was not entered on my calendar and, as a result, the file was not brought from the clerk's office to my office for the Non-Appearance Hearing for ruling on the . This matter was brought to my attention when the County Office called to inquire about the status of the . I promptly ruled on the matter at that time and the Minute Order explains the delay.

Our normal procedure in my office is to promptly calendar matters in the calendaring system when the hearings are set. Apparently that did not occur in this instance.

We have now taken the remedial step of initially the written Order in the lower right hand corner at the time the date is calendared; thereby insuring that the matter is calendared.

I fully accept responsibility for this violation of the 60-Day Rule and believe the implementation of this remedial step will correct the problem and prevent such occurrences in the future.

If you have any questions or require any additional information concerning this matter, please feel free to contact me at your convenience.

Very Truly/Yours,

cc: Presiding Judge, County, AZ