

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-413

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge failed to disclose a potential conflict of interest involving his former law clerk.

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

Dated: January 21, 2015

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on January 21, 2015.

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

The Arizona Commission on Judicial Conduct
1501 W. Washington Street
Phoenix, Arizona 85019

Re: _____

It is unethical for Judges and their clerks to participate in any manner in proceedings they have had any involvement in.

This cannot be waived.

Mr. _____ as clerk to Judge _____ states he sat on _____ court proceedings. He then acted as the prosecutor in the case, before Judge _____ presiding.

This is my complaint and I ask for appropriate disciplinary action.

Respectfully,

Dated _____

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

Re: Your letter of

Thanks for your letter.
My Complaint applies to both
Judge and

Judge knew of the conflict—
that was his clerk—and he
nevertheless presided over my case.
He had the duty of mandatory—
recusal. Violating the Code of
Judicial Conduct.

Respectfully,

Dated

2014-413

State v.
Case No.
Case No.

Dear Mr.

I am writing to inform you of my prior involvement in Mr. cases. As you know, I worked as a lawclerk for Judge for about a My last day was

As a lawclerk, I sat through approximately court proceedings involving your client regarding They were case management conferences and change of plea proceedings. With regard I had no involvement. Other than sitting through and observing court proceedings, regarding I had no other involvement and performed no work in that case.

Please advise if this would cause you concern or create an issue. Thank you for your time.

Sincerely,