

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-052

Judge:

Complainant:

ORDER

A superior court judge voluntarily 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's file in the matter is closed, pursuant to Rules 16(b) and 23(a).

Dated: March 12, 2015

FOR THE COMMISSION

/s/ George A. Riemer
George A. Riemer
Executive Director

A copy of this order was mailed to the judge on March 12, 2015.

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

TELEPHONE

Hon.
Chair, Commission on Judicial Conduct
1501 West Washington, Suite 229
Phoenix, Arizona 85007

RE: Self-reporting of Violation of Judicial Code

Dear Judge

I am self-reporting a violation of the Code of Judicial Ethics. I certified on [redacted] that I had no matters under advisement for more than [redacted] days. That was technically correct. However, I had taken a motion for modification of [redacted] in [redacted] under advisement on [redacted] and did not rule on the motion on [redacted] which was the [redacted] day. I issued a ruling on the motion today, with an apology for the delay.

Several circumstances contributed to this unintentional delay. This matter involved a fairly complex legal issue and was drafted and re-drafted numerous times by my law clerk. My former Judicial Administrative Assistant accepted a position with another judicial officer on [redacted] and my new Judicial Administrative Assistant began work in our division on [redacted]. We have been working diligently on policies and procedures since then. Obviously, this very important protocol was not adequately addressed. Regardless of the reason for this delay, it is my responsibility for not being aware of the deadline for this ruling.

As the result of this issue, we are instituting new procedures in my chambers. Any new matter that comes in to my chambers will be logged in by my Judicial Administrative Assistant with a date for ruling noted. This log of matters will be reviewed by me on a weekly basis, so that I am aware of every matter that has not yet been ruled upon. We will institute procedures to be sure that all documents that come into the office go to the Judicial Administrative Assistant first for logging in, so that nothing is missed. I will also make it my practice to review this log every Friday afternoon, so that I am aware of all items that are pending. My Judicial Administrative Assistant will advise me weekly of impending deadlines. We will not delete any items until a ruling has been issued.

I apologize to the judiciary as a whole for this breach of my ethical responsibilities.

Very truly yours,