

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-182

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge did not provide him with adequate notice of a hearing date and failed to issue timely rulings in a family law case.

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 warning letter to improve his calendaring system to avoid delayed rulings, and to familiarize himself with both the notice requirements under the family law rules and the service requirements in contempt proceedings. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: September 25, 2015

FOR THE COMMISSION

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

Copies of this order were mailed to the complainant and the judge on September 25, 2015.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature: _____

Date: _____

INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

Today is [REDACTED] I found out this morning at about [REDACTED] that there had been a hearing scheduled with Judge [REDACTED] earlier this morning, at [REDACTED] I had not been notified of any hearing with the judge. I have confirmed this in my email, my US Mail, and my voice mail. The only way I found out about it was when I was interviewing a prospective attorney for my case. She had apparently looked up my case in advance of my appointment with her, and she noticed that a hearing had occurred [REDACTED]

Again, I had not been informed that this hearing was taking place. Yet, apparently the opposing part was aware of it. Even worse, during this hearing, Judge [REDACTED] [REDACTED]

I think it is highly inappropriate for a hearing to be scheduled and not ensuring that all parties were informed. Secondly, when one party is not present, no action should be taken, at least until there is an explanation for the absence. In this case, I am now "damaged" because [REDACTED] me [REDACTED] And, as you know, this weekend is [REDACTED] weekend, which is supposed to be my weekend.

Thank you for your consideration on this matter. Frankly, this is just the latest in a series of perceived transgressions that Judge [REDACTED] has had on this case. He has gone MONTHS without any response to important motions in the case - motions that could affect the wellbeing of the children in the case. He also issued "[REDACTED]" in the case, based on information that was obviously incorrect - egregiously incorrect. He had the issue under advisement for over [REDACTED] yet did nothing to reach out to any parties in the case to validate any of the information* to ensure that he had captured it correctly. The Family Court system claims to be most interested in what's "[REDACTED]" [REDACTED], yet Mr. [REDACTED] is clearly not conducting himself in that matter.

Regards,
[REDACTED]