

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-215

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace engaged in improper courtroom demeanor and improperly refused to award him the various types of damages he sought.

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 that punitive and emotional damages can be awarded in justice court if appropriately pled and proven and if the amount awarded is within the jurisdictional limits of the court. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: November 13, 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 November 13, 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.

Sign: _____

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.

On _____ I went before Judge _____ to litigate a case in which my property was stolen from me. During the hearing I found the judge to be very kurt and rude. I explained to Judge _____ that this was my first time ever being in court. This did not deter his conduct, however. He continuously cut me off when trying to explain my sitution and yelled at me at several times. Furthermore, despite the fact that the hearing was a default hearing and the defendannt actually sent obscene emails to me and the court regarding my case and bragging about his actions the judge did not award damages for emotional distress or punitive damages. When asked why he yelled that those were outside of the jurisdiction of the court and hung up on me.

I have been in contact with the staff at the _____ Court multiple times and no when asked I was told I could ask for emotional damages and I did not read anything that said I couldn not ask for emotional damages in a _____. In Arizona judges are required to conduct themselves in a manner demonstrating 'patience and professionalism' it is clear to anyone who listens to the recording that judge _____ did not meet this standard.