

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-305

Judge:

Complainant:

ORDER

The complainant alleged a pro tem superior court judge engaged in improper courtroom demeanor, was prejudiced against him, and made improper rulings in his criminal 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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, 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: December 16, 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 December 16, 2015.

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

Judicial Performance Review
1501 W. Washington, Suite 102
Phoenix, AZ 85007

RE:

Dear Honored Justices:

I am writing to you to file a complaint against the conduct of Honorable _____ in the probation revocation hearing of defendant _____ in the month of _____. During this hearing Judge _____ clearly lost her self-control, accusing defendant of working the system when he refused to admit guilt in the _____ Program and as a consequence was appearing in court proceedings against him. Judge _____ raised her voice toward defendant's attorney _____ when he attempted to raise legal issues. She nearly screamed, "_____ Mr. _____ goes to treatment or he goes to jail and furthermore I don't appreciate his knowledge of the law." (That last remark was in reference to defendant's recent motion to restore his religious rights and graduation from _____ with a _____ in _____) At the conclusion of Judge _____ statements she sprayed spittle all over the bench as someone in the back of the courtroom signaled her to calm down.

There is little doubt Judge _____ harbors bias and animosity towards the defendant for which she should have recused herself-but she did not. The comment about her lack of appreciation of defendant's knowledge of the law leads one to question why she prefers defendants who are ignorant of the law and to what ends? Judge _____ refusal to hear any legal issues leads one to question why she is being paid when it is her job to hear legal issues.

As a citizen I am shocked and appalled by this display and I do not believe I was treated fairly which is the reason for filing this judicial complaint.

Sincerely,