

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-344

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace engaged in inappropriate demeanor and created a hostile work environment.

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 that the judge had inappropriate interaction with a member of court staff. While the judge's conduct was improper under Rule 2.8(B), the Scope Section of the Code of Judicial Conduct provides that it is not intended that every transgression will result in the imposition of discipline. The commission decided, after considering all the facts and circumstances, to dismiss the complaint pursuant to Rules 16(b) and 23(a), but to issue a warning letter to the judge reminding him of his obligation to be patient, dignified, and courteous with court staff.

Commission member Margaret H. Downie did not participate in the consideration of this matter.

Dated: August 16, 2016

FOR THE COMMISSION

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

A copy of this order was emailed to the complainant and a copy was mailed to the judge on August 16, 2016.

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

Comp

2015-344

On _____ at _____ Justice of the Peace, _____ displayed aggressive, unprofessional and inappropriate behavior toward me. This took place at _____ on the _____ of the building in the _____ for _____

_____ and I were _____ regarding the _____ I was in _____ and _____ was _____ and _____ were having their own discussion in the _____ of _____ office. Upon completion of my discussion with _____ I turned. _____ and _____ had ended their conversation and _____ was starting to walk away. I asked _____ if he was leaving (he had his _____) and he replied _____ I said then I will wait and _____ when you leave.

All of the sudden, _____ came storming _____ enraged with anger toward me. He was yelling something about _____ He was making false accusations about some event _____ trying to engage me into a verbal confrontation. This was so disturbing that _____ came _____ and _____ had to address _____ before he calmed down. _____ was present and witnessed the entire episode.

I have reason to believe this confrontation could have accelerated to a higher level had _____ not taken control of the situation. This is not the first time _____ has displayed this type of conduct or rage toward me. I am at this point concerned that his uncontrollable anger may develop into a physical assault upon me.

This was very unprofessional and inappropriate and I believe his intention was to embarrass, humiliate and harass me with the chance that others would observe.

Since this incident has occurred, I have had _____ . I have had _____ and _____ . My stress increases when I need to go _____

The conduct _____ displayed is not acceptable and should not have to be tolerated by anyone. No one should feel intimidated, harassed or have concern about their safety at work.

Thank you