

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-095

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace improperly endorsed a candidate for office.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the justice of the peace 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 justice of the peace did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Dated: May 18, 2016

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the justice of the peace
on May 18, 2016.

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 are true and correct. The allegations of judicial misconduct are based on true and correct information.

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.

SEE ATTACHED COMPLAINT

Judicial Code of Conduct Complaint

I am submitting this complaint regarding the activities of Judge _____ Justice of the Peace _____ It should be noted Judge _____ is _____ this year _____

On _____ at approximately _____ Judge _____ wife, posted on her Facebook page, on behalf of her husband, an endorsement for _____ a Candidate for Justice of the Peace, _____ Included in this complaint is a screen shot of the event and the posting. In addition, on _____ at approximately _____ shared this post with others, including the posting of this information on _____ Facebook page. A screen shot of the incident is also attached.

This Facebook posting and subsequent sharing of the post violates the Arizona Code of Judicial Conduct by a Judge. Specifically Canon 4.1 (A3) and 4.1 (B) which states, " A judge or judicial candidate shall take reasonable measures to ensure that other persons do not undertake, on behalf of the judge or judicial candidate, any activities prohibited under paragraph (A)". Judge _____ and his wife _____ reside in the same residence and have been married for _____ years and it is assumable they share intimate details of their personal lives and interactions to include social media. Judge _____ is aware, or should have been aware of his wife's posting and the violation of the Arizona Code of Judicial Conduct.

As a result of _____ postina on Facebook. Judge _____ has endorsed a candidate for Justice of the Peace in _____ which is a violation. In addition, I have filed a complaint against _____ candidate for this position, and I would ask the commission to review the information contained in that complaint, specifically the information regarding Judge _____ and his endorsement.

Respectfully Submitted,