

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-105

Judge:

Complainant:

ORDER

The commission initiated an investigation to determine if a justice of the peace was still practicing law while serving on the bench.

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 Arizona 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's former law firm continued to have his name on the firm's website for approximately fifteen months after he took the bench on a full-time basis, and for approximately eight months after the commission advised the judge to remove his name from the website. While this conduct violated Rule 1.3, 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 that he had the duty to promptly remove his name from his former firm's website and that he failed to do so for an extended period of time. The commission advised the judge that he has the personal and ongoing duty to comply with the Code of Judicial Conduct at all times as a full-time judge.

Commission members Christopher W. Ames, Roger D. Barton, and George H. Foster did not participate in the consideration of this matter.

Dated: September 22, 2016

FOR THE COMMISSION

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

A copy of this order was mailed
to the judge on September 22, 2016.

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