

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-115

Judge:

Complainant:

ORDER

A superior court judge self-reported a delayed ruling.

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 reminding him of the need to rule promptly, and the need to implement measures to track pending matters and deadlines. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission member Anna Mary Glaab did not participate in the consideration of this matter.

Dated: June 14, 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 June 14, 2016.

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

Commission on Judicial Conduct
 1501 W. Washington Street, Suite 229
 Phoenix, AZ 85007

Subject: 60-Day Rule

It has come to my attention that a case was set for a to approve an , by my office, on the Calendar for at . Although a Notice was filed providing the hearing date and time, the Hearing was not entered on the calendar, and therefore the files were not provided to the Court for review. This matter was brought to my attention on by the , when they called to inquire on the status of the submitted and this Court promptly ruled on the matter

It appears that this omission occurred when

Our normal procedure is to promptly calendar matters and place a check mark on the bottom of the when the hearing is placed in the calendar and then to place another check mark on the bottom of the when the Notice of Hearing is prepared. In this instance, only one check mark is noted on the bottom of the

My office has now added a third step to our calendaring to insure inadvertent distractions don't cause this type of error to happen again. After the Notice has been prepared and approved by the Court, the file will be placed in a "confirmation" basket. All files in this basket will be reviewed by the either at the end of the day or the beginning of the next business day for the sole purpose of verifying that the hearing date is listed on the calendar. Once confirmation has been made, the file will go to the Clerk's office for processing. This third review, done when the office is comparatively quiet, should correct the problem and prevent such occurrences in the future.

I fully accept responsibility for this violation of the 60-Day Rule and believe the implementation of the third step of a "confirmation" basket will prevent such occurrences in the future

If you have any questions or require any additional information concerning this matter, please feel free to contact me at your convenience.

cc: Hon.