

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-198

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge embarrassed and humiliated her in the workplace.

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. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

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

Dated: November 8, 2016

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 November 8, 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 upon which my allegations of judicial misconduct are based are true and correct.

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.

Please See attached.

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

This Complainant believes that

has violated the following Canons of Judicial Conduct:

CANON 1: A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Rule 1.2: Promoting confidence in the Judiciary

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

CANON 2: A judge shall perform the duties of judicial office impartially, competently and diligently.

Rule 2.3: Bias, Prejudice and Harassment

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias, prejudice or **engage in harassment**, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

Rule 2.5: Competence, Diligence and Cooperation.

(B) A judge shall reasonably cooperate with other judges and court officials in the administration of court business.

Rule 2.8: Decorum, Demeanor and Communication with Jurors.

(B) A judge shall be patient, dignified and courteous to court staff, court officials and others with whom the judge deals in an official capacity.

BACKGROUND: I have been a _____ for the past _____. I was originally _____ and became a _____ in _____.

_____ is not a _____ are subject to _____. There are presently _____ in _____ and _____. Each _____ and expected to _____ by the _____.

The _____ was the _____ until _____. Beginning _____ became _____ Prior to her _____ from the _____ came to _____ and spoke to members of the _____ members of the _____ and other _____. The common concern was that Judge _____ treats employees, litigants and attorneys with little respect and with condescension.

_____ differs from _____ counties in that there is almost no distinction between the _____ The previous _____ that I worked with always treated the equals because _____. The only distinction was that pay was _____ and we did not have to _____. My most recent _____ included _____, a full _____ and a full _____, including _____.

In _____ I was asked by then _____ to _____ on a _____ to establish a _____ . I served on the _____ and _____ that _____ from _____ through _____. During that time, _____ received recognition through _____. We received the _____.

for
was asked to serve on the
for We have been
called the “ ” by the 1as
the first in the State.

I, personally, was nominated for in as well as
both nominations were in recognition of
my work The local honored me
with an event on and presented me with for my
dedication to serving

It saddens me to submit a complaint such as this. During my service, I worked
very hard to do my part for the My peers have
recognized me as a team player. I always was willing to take on more than my
share of the work to help another I believe that the
other knew that they could count on me. I never
imagined I would be writing a complaint but I believe this
instance requires review. I feel it is important to protect
from being subjected to conduct similar to that described
herein.

FACTS:

After as a and the recent change in
I decided to I
discussed my decision with before taking any
action. In determining the my intention was to
of I discussed
this with and it was my understanding this would not be an
issue. I was told I would need to

On I See attached Exhibit
was in a meeting, so I In I

stated that my [redacted] In choosing [redacted] I was [redacted]

[redacted] to ensure that I would have my [redacted] and have the ability to [redacted]. At that point, my understanding was that I had to [redacted]

After speaking with [redacted] I determined my [redacted] would be completed by [redacted] I also wanted to [redacted] so a [redacted] I knew that my [redacted] and I wished to [redacted] I did not explain why I had [redacted] as I did not believe that to be necessary or required.

On [redacted] Judge [redacted] sent [redacted]

[redacted] later, on [redacted] Judge [redacted] sent [redacted] stating that [redacted] I read the [redacted] Rules and saw that [redacted] was correct. [redacted] I [redacted] back stating that [redacted] was correct, but that I would need to [redacted], because I needed to [redacted] (I do not have [redacted])

[redacted] stating that [redacted] as to [redacted] was not [redacted]. I wrote back stating that I would have to [redacted] than [redacted] because [redacted] was taking [redacted] from me and that it was rude of [redacted] to treat me with such disrespect after [redacted] for [redacted] See attached Exhibit B.

Shortly after [redacted], Judge [redacted]. The [redacted] and I was [redacted]. I had [redacted] because I was [redacted] at the [redacted] thought of [redacted]. I was [redacted] simultaneously attempting to [redacted] and [redacted]

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**