

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-218

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Judge:

Complainant:

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**ORDER**

A justice of the peace 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. Accordingly, the commission closed its file concerning the judge's self-report, pursuant to Rules 16(a) and 23(a).

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

Dated: September 19, 2016

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

A copy of this order was mailed  
to the judge on September 19, 2016.

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

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The Commission on Judicial Conduct  
1501 West Washington Street – Suite 229  
Phoenix, AZ 85007

Re: Self-Report of Violation - Delayed Ruling

Dear Members of the Commission:

I wish to report a delayed ruling in a  
The                      was filed                      and I realized it had not been ruled upon when  
I conducted a                      on

The case (                      ) was filed on                      Counsel for  
Defendant filed  
on                      - the same day that I conducted the  
The first pretrial conference was scheduled with the prosecutor for

I was not involved in the first pretrial conference, but the parties met. The parties agreed  
to a continuance for                      to complete discovery. A second pretrial conference was scheduled  
for                      On                      Defendant requested a continuance and the pretrial was reset for

I was not involved in the second pretrial conference, but the parties met and Defendant  
requested an additional                      to conduct more research. Pretrial conference was reset for

On                      I met with both counsel for the purpose of setting a trial date and finding  
out what issues remained. It was then that I realized I had not ruled upon Defendant's  
and also that the                      to it.

I apologized to counsel for failing to rule on the motion and explained that I would be  
self-reporting to the Commission. Defense counsel stated that  
and did not object to the

In discussing the issue with                      I found that a "tickler" had not been placed on the  
calendar as a reminder to pull the file to review the

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The court supervisor has advised me that she went through all the pending cases and there are no other motions awaiting a ruling. We have also gone over in more depth the procedures for reviewing cases and tracking motions

The responsibility for this failure to rule is ultimately mine and, because this is not the first time I've had to self-report, I plan to place a "tickler" on my personal court calendar whenever I know a motion is pending, to hopefully prevent another incident.

Thank you for your consideration.

*Very truly yours*