

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-318

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace engaged in improper demeanor in a garnishment proceeding.

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 regarding setting clear parameters for the scope of a hearing to avoid any frustration that may lead to a demeanor violation under Rule 2.8(B). The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission members Gus Aragon, Art Hinshaw, and George Foster did not participate in the consideration of this matter.

Dated: March 21, 2017

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on March 21, 2017.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2016-318

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

ON _____ AT _____ MY _____ AND I ATTENDED
A HEARING BEFORE _____ I WOULD LIKE TO
ASK THE COMMISSION TO REQUEST AN AUDIO COPY OF
THIS HEARING. I WAS DIAGNOSED WITH _____
IN _____, AND I HAVE _____ I CAN REMEMBER
THE HEARING, BUT CANNOT RECALL EXACT QUOTES - & WILL
DO MY BEST. THE HEARING BEGAN PRETTY NORMAL
BUT WENT DOWNHILL FAST. THE JUDGE BECAME RUDE
AND SARCASTIC. HE MADE RUDE COMMENTS WHILE
THE OTHER PARTY WAS SPEAKING. I REMEMBER THE
COMMENT " THE
JUDGE WAS UPSET AND CONTINUED TO RAISE HIS
VOICE TOWARD THE END OF THE HEARING. HE GAVE
ME THE IMPRESSION THAT WE DID NOT DESERVE
HIS TIME, AS HE MADE SEVERAL COMMENTS ABOUT
NOT HAVING ALL DAY. ALSO THAT IT WAS NEARING
- THE ENTIRE HEARING WAS AN UNORGANIZED
MESS. WE ACCOMPLISHED NOTHING IN THAT TIME.
I WALKED OUT OF THE COURTROOM FEELING HOPELESS
AND DEFEATED.

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(CONTINUED FROM PAGE 2)

IT APPEARS TO ME THAT THIS JUDGE HAS ISSUES WITH ANYONE THAT OWES MONEY. - OR APPEARS TO OWE MONEY. HE HAD HIS MIND MADE UP BEFORE THE HEARING. IT HAS CHANGED MY VIEW OF THE COURT SYSTEM. I WOULD NOT WANT TO APPEAR BEFORE THIS JUDGE AGAIN, BECAUSE I FEEL I WOULD BE PENALIZED FOR MAKING A COMPLAINT. THESE MATTERS ARE VERY IMPORTANT TO SOME OF US. WE SHOULD NOT FEEL THAT OUR CASES ARE TRIVIAL OR UNIMPORTANT.