

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-089

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace (then a judicial candidate) violated various provisions of the Code of Judicial Conduct related to language on her campaign materials.

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 determined the judge's campaign materials failed to fully comply with Rules 4.1(A)(9), 4.1(A)(10), and 4.3(D) of the Arizona Code of Judicial Conduct. However, the Scope Section of the Code provides that it is not intended that every transgression will result in the imposition of public 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 her campaign materials need to fully comply with the requirements of the Code.

Commission members Art Hinshaw, Roger D. Barton and Margaret H. Downie did not participate in the consideration of this matter.

Dated: August 22, 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 August 22, 2017.

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.

RULES 4.1(A)(9) AND (A)(10) OF THE ARIZONA CODE OF JUDICIAL CONDUCT READ AS FOLLOWS:

(9) make any statement that would reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court; or

(10) in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

ON CAMPAIGN WEBSITE (SCREENSHOT ENCLOSED, FOUND AT) SHE MAKES THE FOLLOWING STATEMENTS WHICH ARE AT ODDS WITH THE AFOREMENTIONED RULES AND ENSURING IMPARTIAL PERFORMANCE OF THE ADJUDICATIVE DUTIES OF JUDICIAL OFFICE:

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IS EMPHASIZING BEING " , " PARTICULARLY WHEN IT COMES TO MATTERS. SHE IS RUNNING FOR JUSTICE OF THE PEACE, NOT PROSECUTOR. AND HER STATEMENTS REFLECT AN INABILITY TO PRESENT HERSELF AS IMPARTIAL.