

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-262

Judge: Thomas Robinson
Complainant: Commission on Judicial Conduct

ORDER

The Commission initiated an investigation of Judge Robinson's conduct after receiving a report that alleged he stabbed his wife and then gave false information to law enforcement in connection with this incident. Judge Robinson was subsequently charged with multiple felonies and misdemeanors related to this stabbing incident.

Based on Judge Robinson's retirement from judicial office and his agreement with the Commission that he will never again seek or accept a position involving service as a judicial officer in Arizona, the Commission decided to take no further action in this matter and closed its file. Should Judge Robinson fail to abide by his agreement to never again seek or assume a judicial office in Arizona, the Commission may file formal charges against him and/or seek injunctive relief to enforce the terms of the agreement.

Accordingly, the Commission's file in this matter is closed pursuant to Rule 23. Pursuant to the judge's stipulation, this order, including identifying information, is considered public information.

Commission members Peter J. Eckerstrom, J. Tyrrell Taber, and Christopher W. Ames did not participate in the approval of this order.

Dated: January 31, 2018

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on January 31, 2018.

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

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STATE OF ARIZONA
COMMISSION ON JUDICIAL CONDUCT

Inquiry concerning)	
)	Case No. 17-262
Judge Thomas Robinson)	
Tempe Municipal Court)	STIPULATION
Maricopa County)	
State of Arizona)	
)	
Respondent)	

Former Judge Thomas Robinson, Respondent, through his attorney, David Cutrer, and April P. Elliott, Disciplinary Counsel for the Commission on Judicial Conduct (“Commission”), hereby stipulate as follows:

JURISDICTION

1. The Commission has jurisdiction over this matter pursuant to Article 6.1 of the Arizona Constitution.
2. Respondent began his service as a commissioner and hearing officer for Tempe Municipal Court in 1995, and became a municipal court judge for that court in 2009. He retired from his position effective September 28, 2017.
3. As a municipal court judge when the alleged misconduct occurred, Respondent was and is subject to the provisions of Article 6.1 of the Arizona

Constitution and the Code of Judicial Conduct (“Code”) as set forth in Arizona Supreme Court Rule 81.

BACKGROUND

4. On or about September 25, 2017, the Commission initiated an investigation of Respondent after receiving a report that Respondent was arrested for allegedly stabbing his wife, and providing false information to the police related to the incident. He was later charged with multiple felonies and misdemeanors arising out of this incident in Maricopa County Superior Court Case No. CR2017-143703, which case is pending. Respondent was given notice of the allegations, and invited to submit a written response, through counsel, to the Commission. Respondent, through counsel, chose to forego the submission of a response and agreed to enter into this stipulation.

MUTUAL CONSIDERATION

5. The parties agree that in light of Respondent’s pending criminal charges, Respondent need not make any admissions regarding his alleged conduct and whether such conduct violates the Arizona Constitution or the Code.

6. The parties agree that resolving this matter by stipulation is in their mutual best interests and in the best interests of the judicial system and the public.

AGREED UPON DISPOSITION

7. Respondent retired from his appointed judicial position as of September 28, 2017.

8. Respondent agrees not to seek or accept a judicial appointment of any type, not to run for an elective judicial office, or serve in any judicial capacity¹ in the State of Arizona at any time on and after the date he signs this agreement.

9. Respondent specifically acknowledges this stipulated resolution does not deal with or resolve complaints raising allegations not already a part of the Commission's investigation of his conduct as set forth in Paragraph 4 above, i.e., his alleged criminal conduct as charged by the Maricopa County Attorney to the date Respondent signs this agreement.

10. The Commission agrees that upon the approval of this agreement by the parties and the Commission, this matter shall be closed. The Commission will post a dispositional order concerning the approval of this stipulation and this stipulation on its website, and these will be considered public documents. A formal complaint charging Respondent with violating the Arizona Constitution and Code arising out of his alleged criminal conduct as charged by the Maricopa County Attorney to the date Respondent signs this agreement will not be filed or pursued by the Commission, unless Respondent breaches the terms and conditions of this agreement as outlined in paragraph 12.

¹ The parties agree that not serving in any judicial capacity encompasses the definition of "Judge" in the Code of Judicial Conduct, which states: "Judge" means any person who is authorized to perform judicial functions within the Arizona judiciary, including a justice or judge of a court of record, a justice of the peace, magistrate, court commissioner, special master, hearing officer, referee, or pro tempore judge.

11. Disciplinary Counsel acknowledges Respondent and his counsel's cooperation with the Commission in the negotiation of this stipulated resolution.

OTHER TERMS AND CONDITIONS

12. In the event Respondent fails to comply with the terms and conditions of this agreement by seeking appointment or election to a judicial office or serving as a judge in Arizona, the Commission may pursue this case and bring formal charges against Respondent as it deems appropriate, by giving Respondent written notice of its intention to do so, and the matter will proceed to hearing pursuant to the Commission's rules. Respondent waives any and all claims concerning delay or other irregularities in the Commission so doing.

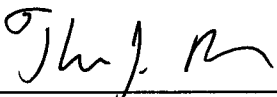
13. In the event Respondent fails to comply with the terms and conditions of this agreement by seeking appointment or election to a judicial office or serving as a judge in Arizona, the Commission may also seek injunctive relief enjoining Respondent from engaging in conduct in breach of the terms and conditions of this agreement.

14. Respondent acknowledges that this stipulated resolution does not constitute a final determination by the Arizona Supreme Court, as contemplated by Rule 46(c), Arizona Rules of Supreme Court, for purposes of lawyer discipline.

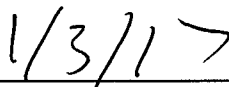
15. Both parties will pay their own costs and attorney's fees associated with this matter.

16. Respondent understands the terms and conditions of this agreement, has reviewed them with his legal counsel, and fully agrees to and will abide by them.

17. This agreement constitutes the complete understanding between the parties concerning the resolution of this matter.



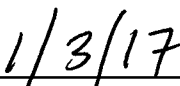
Judge Thomas Robinson
Respondent



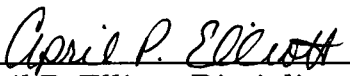
Date Signed



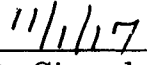
David Cutrer
Attorney for Respondent



Date Signed



April P. Elliott, Disciplinary Counsel
Commission on Judicial Conduct



Date Signed