

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-205

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace improperly refused to allow her to attend defensive driving school.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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.

The commission does not have jurisdiction to review the legal sufficiency of a judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officer 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: September 26, 2018

Copies of this order were distributed to all appropriate persons on September 26, 2018.

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

18-205

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.

REQUEST FOR INVESTIGATION INTO JUDGE

In my case I was not given a fair chance to explain my side of the story. Judge [redacted] ordered me to pay a speeding ticket in full without even a chance to attend defensive driving school. I appealed Judge [redacted] decision within the required time frame of [redacted], and my motion to appeal was denied. I send my appealed letter before the [redacted]. I can't control how fast the mail should be delivered. I believe I am not guilty of speeding because at the time I was pulled over, I was keeping up with the flow of traffic and can attest to the fact that there were a few other vehicles that had passed me before I was pulled over by the highway patrol officer. I am struggling in my finances at the moment, and I believe that if I am going to be held responsible for speeding, I should at least be able to attend defensive driving school instead of being held liable for the full amount of the speeding ticket. This will also affect my driving record and increased my insurance premium significant amount. I am currently [redacted] and my job [redacted]. I also explained to Judge [redacted] it's possible I will [redacted] having criminal speeding ticket on my record. During my court hearing, Judge [redacted] did not even want to hear what I had to say, and she ordered that I pay the full amount of the ticket. Judge [redacted] mentioned that she already makes her final decisions and I was sentence to pay the full amount of my ticket or set up paying arrangement. On my trial date, I was driving from [redacted] to [redacted] court, when my tire got flat. I called the court and they advised me to write letter of motion to Judge [redacted], which I did. I explained to Judge [redacted] that my vehicle broke down on my way and she denied it. I was sentenced me to pay the full of the ticket. I also asked if there was any possibility that I can

attend driving school and she denied it. Even though I have no criminal record, I respect Judge decisions. I know there are individuals that are held responsible for speeding and they are able to attend defensive driving school. Though I feel the decision was unfair and that I should be held responsible for paying a speeding ticket when I was merely keeping up with the flow of traffic, I would be willing to attend defensive driving school. Please understand having to pay a speeding ticket of such a large amount will greatly affect my financial circumstances and I am only asking for a fair chance to be treated fairly. Though I believe I am innocent in this case, I am willing to accept responsibility. However, I believe I should have the opportunity to attend defensive driving school to avoid having to pay such a considerable amount. Thank you for your prompt attention to this matter.

Respectfully yours,