

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-206

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace engaged in multiple acts of impropriety prior to becoming a judge.

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 to avoid the appearance of impropriety under Rule 1.2 by not having any unpaid fines while sitting as a judge who must impose and enforce fine payments. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission member Roger D. Barton did not participate in the consideration of this matter.

Dated: February 1, 2019

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on February 1, 2019.

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

Complaint: Justice of the Peace

To the State of Arizona Commission on Judicial Conduct:

I'm sure you would agree that the public would be appalled to learn of Judge ; following violations:

Canon 1. A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

Dictionary definition of impropriety¹: Failure to observe standards of honesty or modesty; improper behavior or character.

Your definition of impropriety²: Impropriety includes conduct that violates the law, court rules, or provisions of this Code, and conduct that undermines a judge's independence, integrity, or impartiality.

has failed to avoid impropriety and the appearance of impropriety. **He lied under oath** in an ; where he claimed **under oath** that he was only grossing \$ (Exhibit A, Page 3.) According to Salaries Database (Exhibit B), he was knowingly grossing ; more and had been as That is not a simple error, as it spells out and defines " " income for the applicant.

also wasted the Court's time and limited resources by not showing up for hearings he requested, (Exhibit C and Exhibit D.) This delayed the inevitable on large (Exhibit E.)

He has outstanding fines in Courts. On at least occasion, the prosecutor asked that his license be suspended. In , he has been charged with (Exhibit F) and (Exhibit G.) Case also shows that he has a balance remaining due (Exhibit G.) In , he on a which appears to remain unpaid (Exhibit H.) In , his case appears to have been sealed.

has not complied with the law. In clearly public documents, : has avoided payment to courts – even when dictated by law.

¹ <https://en.oxforddictionaries.com/definition/impropriety>

² Arizona Code of Judicial Conduct (2009); Arizona Supreme Court Rule 81, Rules of the Supreme Court, effective September 1, 2009, Amended November 24, 2009, Internet Edition



Article 6.1 of the Arizona Constitution; Code of Judicial Conduct Rules 1.2, 2.2, 2.10, 3.1(E), 4.1(A)(8) and 4.1(A)(9); Formal Ethics Advisory Opinion 96-12.

Furthermore, I believe that _____ may have improperly sought and obtained endorsement by a law enforcement association and misused court resources, specifically his state computer, for purposes of his election campaign (Exhibit I.) That is not just a violation of the above rules, but also destroys the image of impartiality, causing widespread public mistrust in the judicial system.

He does not only act recklessly, he also fails to appear in court, fails to pay his fines, and lied under oath to the _____ Court. Such a consistent series of bad acts are repugnant to the bench and do not properly represent the judiciary. Ultimately, _____ should be promptly and permanently removed from his position as Justice of the Peace.

Respectfully,