

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-227

Judge:

Complainant:

ORDER

A justice of the peace self-reported delayed rulings in civil matters.

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

After review, the commission found no evidence of ethical misconduct and concluded that the judicial officer did not violate the Code in this case. Accordingly, the commission's file in this matter has been closed, pursuant to Rules 16(a) and 23.

Commission members Gus Aragón, Peter J. Eckerstrom and George H. Foster, Jr., did not participate in the consideration of this matter.

Dated: September 17, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie
Executive Director

Copies of this order were distributed to all appropriate persons on September 17, 2018.

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

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

To Whom It May Concern:

I'm writing to self-report that I missed the 60 day decision deadline in certain cases regarding requests for entry of default judgment without hearings. This problem was brought to my attention on [redacted], [redacted]. Other than such requests, no other matters were found more than 60 days pending, and they have all since been appropriately ruled upon. As of [redacted], no matter has been pending before me for more than 30 days, including without limitation requests for entry of default judgments.

My failure to meet the 60 day deadline was a combination of two factors, office demands and a misunderstanding of the applicable standard. My office and I are aware that all matters are to be addressed promptly and without unreasonable delay.

However, I inherited a number of issues from my predecessors, including personnel and, more significantly, financial and accounting issues. My staff and I have been working with the [redacted] to resolve the accounting and financial issues. This has taken considerable time to unravel and set straight.

To complicate matters there has been significant turnover with my staff since [redacted]. My staff consists of [redacted] positions: [redacted] have been with the court prior to my arrival in [redacted]; [redacted] hired in [redacted]; another hired in [redacted]; and, [redacted] hired in [redacted] (vacancies still remain open).

Between [redacted] and [redacted], we have had [redacted] people resign, fail to complete probationary hire, or were terminated. Among the [redacted] were [redacted] assigned to [redacted] cases. We have diligently trained and re-trained [redacted] staff. Unfortunately, current [redacted] staff were not properly trained that all matters (not just contested matters) must be ruled on within the applicable timeframe. Given the other vacancies, the supervising clerk has had to fill these positions so this issue was not readily or timely discovered.

Letter to the Arizona Commission on Judicial Conduct;
Re: Self-Report of 60 day compliance issue;

Page 2 of 2.

I want to reassure you that all matters are up to date. Appropriate training and supervision has been provided so that all matters are now being brought to my attention for timely resolution, including defaults.

cc: