

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-071

Judge:

Complainant:

ORDER

July 10, 2019

The Complainant alleged a justice of the peace had improperly supervised his staff.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on July 10, 2019.

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

FOR OFFICE USE ONLY

2019-071

COMPLAINT AGAINST A JUDGE

Name: _____ **Judge's Name:** _____ Hon.

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.

_____ was the defendant and is the appellant in case _____ (_____ vs. _____)
The Honorable _____ presiding in the _____ Court.

Due to the length of the trial proceedings, defendant _____ was required by statute to include a written transcript of the trial proceedings in his appeal.

Prior to the deadline for filing, appellant _____ informed Judge _____ (in _____ that the original CD-Rom disk copy of the trial proceedings was defective.

Remarkably, instead of furnishing a replacement disk, Judge _____ staff mocked appellant _____ via an odd, self-serving minute entry. The confused court staff boasted they had listened to a recording of the trial proceedings, and since THEIR recording copy was audible, appellant _____ recording copy was presumed audible. ???

Appellant _____ NEVER stated or implied his CD-Rom copy (provided by the court) was not " _____ " Appellant copy contained a physical defect, rendering it nonfunctioning and unplayable. A.K.A. " _____ "

" _____ " was impossible to determine. Appellant's CD-Rom disk was in fact a useless " _____ "

Dealing with Judge _____ staff/clerks is a disturbing exercise in futility. Ask three clerk's the same question, you get three distinct and different answers. Astonishingly, Judge _____ staff refused to accept discovery filings and motions approximately _____ days prior to the trial date. Their excuse,.... " _____ "

Appalling malfeasance, but PROVABLY TRUE!!

The _____ Court administrative supervisor has acknowledged her staff's conduct was improper. She advised me to include the relevant staff malfeasance in my appeal.

Appellant _____ repeatedly requested oral hearings to inform Judge _____ (face to face) of his frustration with court staff's inconsistency and atypical comportment. Each and every request was denied.

Respectfully, appellant _____ alleges that Judge _____ failure to instruct his staff to furnish appellant _____ with a functional CD-Rom disk trial recording is at minimum Judicial misconduct. _____ CANNOT complete appeal without a replacement recording!

Appellant _____ seeks no Judicial reprimand. _____ respectfully requests the Commission direct Judge _____ instruct his staff to furnish Appellant _____ a functional, playable CD-Rom disk copy of the above referenced trial proceedings.

Thank you.

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