

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-142

Judges:

Complainant:

ORDER

August 12, 2019

The Complainant alleged a justice of the peace failed to disqualify himself from a civil case based on their past history.

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 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).

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

Copies of this order were distributed to all appropriate persons on August 12, 2019.

19-142

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.

While still Justice of the Peace, it appears that then-Justice _____ did not recuse himself in a civil _____ case as he should have.

The facts at hand are as follows:

Justice _____ in _____ was _____ court. At that time, _____, and I was her _____ . Then- _____ took the _____ to court, to dispute _____ and in that case, I was called as a witness for then- _____ case against my _____

When _____ the Justice of the Peace for the _____ Courts, it came with the responsibility to act ethically, and provide all members of the community with their legal, constitutionally protected rights of due process and offer them a verdict they could have faith is free of bias.

When I received court paperwork regarding the before mentioned court case and saw Justice _____ name, I figured he would recuse himself, and I would be provided with new court documents regarding a new court date.

It was recently brought to my attention that not only did Justice _____ continue the case without recusing himself, but he did so without me really understanding he was continuing it, and found a judgement against me, without me knowing this either. Further, he agreed to allow my wages to be garnished, and I am only just now learning about this, when I received notice of the law firm before mentioned sent paperwork to let me know my wages are being garnished, as well as notice from my employer that my wages are being garnished.

I understand that Justice _____ is _____ in this case, however, this complaint should be recorded, and a decision made as to whether he acted unethically and potentially broke any laws, and in doing so, failed to provide me with my rights of due process. I will attempt to pursue legal options to appeal the decision of Judge _____, but ask that this case be given fair consideration and his behavior be given the scrutiny it deserves, as I have been denied justice and am facing true financial suffering because of his behavior.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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