

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 19-177

---

Judge:

Complainant:

---

**ORDER**

September 4, 2019

The Complainant alleged a municipal court judge improperly allowed evidence to be introduced in a protective order proceeding.

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).

Commission members Gus Aragón and Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 4, 2019.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2019 - 177**

**COMPLAINT AGAINST A JUDGE**

**Name:** \_\_\_\_\_ **Judge's Name:** \_\_\_\_\_ Judge

**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.

On \_\_\_\_\_ and at \_\_\_\_\_ Arizona time I was the Defendant in a hearing against \_\_\_\_\_ as the Plaintiff, I was permitted to appear telephonically for this Hearing on an Order of Protection with Judge \_\_\_\_\_ presiding. Judge \_\_\_\_\_ did not follow the proper procedure as listed below:

The document " \_\_\_\_\_ " Published by the \_\_\_\_\_ Court  
Published \_\_\_\_\_ Specifically, Arizona Rules of Procedure for Protective Orders (ARPOP) Rule R. Telephonic/  
Video Conference Proceedings. #2. "

1. I was not given prior access to any evidence which was introduced during the hearing in advance as is required by ARPOP.
2. Any and all evidence that was introduced should have been considered inadmissible since the court procedures for a telephonic hearing requires the Defendant to receive a copy in advance.
3. A fair and unbiased rehearing is impossible since there has been evidence admitted to the courts, any and all evidence presented by the Plaintiff should be struck from the record and it could not be considered ethical to reintroduce into a rehearing.
4. At no time during the hearing did I relinquish my rights to receive evidence in advance.
5. I was told by the courts there was no evidence on file prior to the hearing.