

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-180

Judge:

Complainant:

ORDER

The Complainant alleged a superior court judge made a delayed ruling in a criminal 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.

After review, the Commission found that the judge's ruling was not timely. While this was improper under Rule 2.5(A) of the Code of Judicial Conduct, the Scope Section of the Code provides that not every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the complaint pursuant to Commission Rules 16(b) and 23(a), but to issue a warning letter to the judge to continue with her proactive measures to ensure all future rulings are made in a timely manner.

Commission members Roger D. Barton, Colleen E. Concannon, George H. Foster, Jr. and Diane M. Johnsen did not participate in the consideration of this matter.

Dated: September 23, 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 September 23, 2019.

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RE: HONORABLE

TO: ARIZONA COMMISSION ON JUDICIAL CONDUCT

I HAVE A MATTER ASSIGNED TO JUDGE IN
I AM A AND ON
FILED A MOTION FOR COUNSEL AND FOR
RECORDS AND SUPPLEMENTAL MOTION ON

I ASSERT THAT JUDGE HAS VIOLATED YOUR
RULE 6.1.84; WILLFULL AND PERSISTENT FAILURE
TO PERFORM DUTIES OR OF MAKING DECISIONS

IT IS MY UNDERSTANDING OF THE ARIZONA CON-
STITUTION AND CRIMINAL PROCEDURE THAT A JUDGE
SHALL RENDER A DECISION ON A MOTION NO
MORE THAN 60 DAYS FROM IT BEING FILED.

FIRST SHE DID NOT ISSUE AN ORDER/MINUTE
ENTRY TO THE PARTIES UNTIL
OF ORIGINAL FILING.

SECOND I CALLED HER CLERK ON
AND TO RELATE CONCERN

ON HER CLERK APOLOGIZED STATING
MANY OTHER PARTIES HAVE CALLED TOO, THAT
SHE'S IN TRIAL AND SHE HADNT GOT TO IT YET.

SINCE I HADNT EVEN GOT A RETURN
CALL FROM THE CLERK TO MY VOICEMAIL,

IT HAS BEEN APPROXIMATELY
STILL NO RULING, I FEEL THIS IS A
GROSS AND VERY UNREASONABLE DELAY.

IN THE INTEREST OF JUDICIAL ECONOMY I
ASK THAT YOU SIMPLY CHECK THE ONLINE
DOCKET ON MY CASE & YOU WILL SEE
THE DATES OF MY FILING — LACK OF
DECISION.

Thank You!