

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-358

Judge:

Complainant:

ORDER

May 12, 2020

The Complainant alleged a superior court judge was biased against his attorney.

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 Commission Rules 16(a) and 23(a).

Commission member Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 12, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019 - 358

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.

On _____, a hearing for my case was heard by the Honorable Judge _____. As the hearing progressed, it became apparent to me that Judge _____ has a dislike for my attorney. While _____ was trying to provide argument to substantiate his objections on my behalf, Judge _____ body language became rather telling as to his frustrations that _____ was even speaking. In my opinion, he was irritated and my immediate thoughts were Judge _____ does not Like _____ at all. Judge _____ dropped his hands, shrugged his shoulders, and a distinct scowl came across his face. He then turned in his seat and was no longer looking at _____. He was now looking in the direction of opposing counsel. This obviously raised concerns for me. My biggest concern is this dislike for _____ spilling over into my case in the form of bias. Regardless of any history between the Court and my attorney, I should still be afforded equal access to justice.