

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-368

Judge:

Complainant:

ORDER

The Complainant alleged a superior court commissioner was biased against her and failed to afford her an opportunity to be heard in a probate 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 reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The Commission approved sending the commissioner an advisory letter reminding her to ensure all parties are afforded an opportunity to be heard as required by Rule 2.6(A) of the Code. 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.

Dated: May 19, 2020

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all appropriate persons on May 19, 2020.

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

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2019 - 368

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.

I am a party to this action and have paid my appearance fee; however, Commissioner _____ refused to let me address the court whatsoever at this hearing and in prior hearings. I was shocked at the dismissive nature of her treatment of me as a party to this case. I was shocked that the Commissioner had to check with her clerk to confirm I was in fact a party to this case; she should know this if she had read the file at all whatsoever. Every party has an absolute right to address the Court on pending matters. The Court may set limits, but it cannot, absent special circumstances (abuse) take away that right and she did take away my rights and therefore abused her power. At the end of the hearing the Court noted my objection, but I was not afforded the opportunity to address the Court, even after it was confirmed that I was a party to the case. The Commissioner _____ was notified of my presence and my desire to speak at the beginning and towards the end of the hearing, yet I was not allowed to speak or to cross examine witnesses.

This judge has been partial during the entire case. She has treated _____ and myself in a manner that no judge should ever treat an individual and we will never have an impartial decision from this judge.

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