

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-405

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace was biased against her and engaged in improper demeanor in eviction proceedings.

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 comments were perceived as demeaning and pro-tenant. While this was improper under Rules 1.2, 2.2, and 2.8(B) 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 judicial officer to avoid comments that may be perceived as demeaning or belittling and that give the appearance he is biased in favor of one side.

Commission member Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: June 10, 2020

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Vice-chair

Copies of this order were distributed to all appropriate persons on June 10, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

19-405

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 _____ I appeared at the _____ with _____ Judge
I am filing a formal complaint due to Judge _____ discriminatory treatment
towards me. He was unfairly harsh and belittling during a Forcible Entry and Detainer hearing
where I, _____ represented myself.

I waited almost _____ (while the _____ who had representation were heard) only to be
berated in front of a courtroom full of people. Judge _____ did not question the lawyers
and their clients with similar hearings in the same harsh way.

I ask that the commission review the recording of my appearance. During this recording you will
hear Judge _____ repeatedly call me " _____ " and accuse me of taking advantage
of poor people simply because I requested the rent due at the time of the appearance. He also
accused me of adding to the homelessness rate in our city. During the hearing I remained
respectful despite his crass treatment.

My _____ Judge _____ jurisdiction. I am requesting
that the commission review the recording so that in the future I am treated fairly while within
my rights of requesting rent past due. Thank you for taking the time to review my concerns.