

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-407

Judge:

Complainant:

ORDER

April 16, 2020

The Complainant alleged a municipal court hearing officer engaged in improper demeanor and failed to perform his duties competently.

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).

Copies of this order were distributed to all appropriate persons on April 16, 2020.

Complaint Against a Judge

City Court Hearing Officer repeatedly violated the Arizona Code of Judicial Conduct, and his improper conduct calls into question his fitness to serve said court.

I appeared in City Court on to contest a parking ticket for not displaying current registration (Case). The ticket was issued one day after the expiration of a temporary operating permit which was displayed on the vehicle's dashboard. The vehicle is registered in and its registration fees had been paid. However, I had not yet received new tags – which arrived a few days later in the mail.

After listening to myself and the officer who issued said parking ticket, Mr. found me guilty and announced that although the fine would normally be in excess of the reduced fine was about (I do not recall the exact amount). Bewildered, I pointed out the fine for this parking ticket was This caused the heretofore calm Mr. to become flustered as he hurriedly looked for and then read information about this case. After doing so, an obviously agitated Mr. begrudgingly confirmed the fine. He then glared at me in anger while saying in a raised voice, "This hearing is over!" His countenance was that of an incensed individual daring me to respond.

Mr. lack of self-control was highly improper, while his confusion over the fine reflects adversely on his diligence and competence. Moreover, his boorish and disrespectful demeanor embarrassed me in front of numerous people in court waiting for their cases to be heard. Judging by the stunned looks on their faces, they, too, were taken aback by the judge's petulance.

violated the following rules of the Arizona Code of Judicial Conduct:

Rule 1.2: Public confidence in the judiciary is eroded by improper conduct. The test for impropriety is whether the conduct would create in reasonable minds a perception that a judge engaged in conduct reflecting adversely on his temperament or fitness to serve as a judge.

Rule 2.5: A judge shall perform judicial duties competently and diligently.

Rule 2.8: A judge shall be patient, dignified and courteous to litigants with whom the judge deals in an official capacity.

Certainly, _____ did not perform his duties competently or with due diligence, as his lack of preparation caused confusion and consternation; thereby putting a defendant in the very awkward position of needing to point out the judge's glaring error. Further, Mr. _____ abused his power by lashing out at a defendant who had been respectful and polite throughout the proceeding. Without question, Mr. _____ unprofessionalism compromised the dignity of _____ City Court. Reasonable people would no doubt agree that a bungling, hot-headed and abusive hearing officer, like _____ erodes public confidence in the judiciary.

Respectfully,