

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-031

Judge:

Complainant:

ORDER

April 16, 2020

The Complainant alleged a judge displayed bias and failed to accommodate his client's disability.

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.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020 - 031

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.

This matter was heard on _____ at _____ m. Prior to the hearing during a pretrial conference undersigned counsel indicated that _____ was hearing impaired and would need assistance if the matter proceeded to a hearing. The Court was completely unprepared for this at the hearing and the hearing was delayed while accommodations could be made. The assistance was inadequate.

During the hearing, while _____ was on direct examination, the Attorney member of the panel attempted to question _____ it was clear he was interested in the matter before the Tribunal. Judge _____ became upset and on two occasions rudely interrupted the questioning by, _____ and prevented him from participating in the process. (undersigned counsel has ordered the audio recording of the hearing and will supplement this complaint)

_____ conduct violated AZ ST S CT Rule 81, Canon 1, Canon 2.2, Canon 2.3, Canon 2.5, and 2.6 (A).

In forty (40) years of trying cases I have never seen a more biased, unfair and corrosive display of judicial conduct.

Comp Attach 1 -
Hearing recording
2020-031

