

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-062

Judge:

Complainant:

ORDER

August 11, 2020

The Complainant alleged a pro tem municipal court magistrate engaged in improper demeanor in a protective order 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 complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on August 11, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020-062

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 represented _____ yesterday afternoon in the _____ Court. The defendant, _____ had requested a hearing on _____ Injunction Against Harassment.

When _____ began her case she stood up and began speaking, without being sworn in, about documents that she was holding that hadn't been marked as exhibits.

I stood up, took a step toward the bench, and started to ask the judge to have the exhibits marked. He cut me off mid sentence, and told me in a very loud voice to sit down. He had his finger pointed at me for almost 5 seconds and had an ugly, hateful, threatening look on his face during these 5 seconds.

I believe that something is wrong with this judge, that he is either emotionally, mentally or medically ill. His reaction to my speaking was very inappropriate. The look on his face frightened me. he scared me. I have never been scared by a judge in over _____

In addition to the _____ attorneys who were in the courtroom while this was taking place, the courtroom clerk and the bailiff were present. The bailiff told me outside the courthouse, after the hearing, that the judge was in a bad mood.

Although I won the hearing for my client, I am very concerned about _____ bizarre behavior. He needs help.

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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.

Nothing out of the ordinary had taken place prior to the judge's conduct which I described yesterday.

I am _____ and I weigh _____ The judge _____

As I wrote yesterday,

I am _____ years old. The judge is _____ As far as I am concerned, what took place in the courtroom was threatening and intimidating. If this had happened to me anywhere else I would have called 911 and asked that the judge be charged with assault pursuant to A.R.S. Section 13-1203. I was definitely in fear of harm.

At _____ I have been bullied many times. The judge was bullying me, using the bench to do so. In the few seconds that I had to consider his language, tone of voice, finger pointing and ugly, mean spirited looked, I thought of stating something for the record. I didn't because I didn't want to prejudice my client and for fear of being held in contempt.

After the bailiff told me that the judge was in a bad mood I told him that I thought that the judge was going to punch me.

I have seen, heard and experienced many unusual, bizarre and sometimes improper actions over the last _____

I have never experienced violence at the hands of a judge.

Something is wrong with _____