

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-092

Judge:

Complainant:

ORDER

June 8, 2020

A superior court commissioner self-reported a delayed ruling in a family court matter.

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. Accordingly, the Commission's file in this matter has been closed, pursuant to Commission Rules 16(a) and 23.

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

Copies of this order were distributed to all appropriate persons on June 8, 2020.

From:
Sent:
To: Commission on Judicial Conduct
Subject: self report

Dear Commission members,

I would like to report an inadvertent failure to issue a ruling within sixty days of a hearing and concomitant inadvertent erroneous salary certifications.

I held a child support modification hearing in _____ on _____. On _____ I prepared my ruling, and as is my custom I emailed it to my Judicial Assistant, but I did not include the courtroom clerk. I have a new judicial assistant and she did not forward the email to the clerk. As a result, no ruling was issued. When I returned to work today, I learned that the hearing set for _____ in that “_____” had been vacated because the parties were unaware that a hearing had been set. A brief investigation revealed that a minute entry had never been issued, but it has been today. I have requested that both my courtroom clerk and judicial assistant monitor my under advisement rulings and asked that my judicial assistant not “_____” exhibits if they are returned to her, to ensure that such a mistake does not happen again. Please let me know if you need any further information.

Sincerely,