

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-251

Judge:

Complainant:

ORDER

January 27, 2021

The complainant alleged a pro tem superior court judge had a conflict of interest in hearing a civil 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. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission members Denise K. Aguilar, Colleen E. Concannon and Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 27, 2021.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020-251

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.

In _____ a civil case was filed against _____ from _____ The civil court judge appointed to the case was Judge _____. There was conflict of interest with the judge and the Petitioner of the case. The judge stepped down on his own initiative as required. The next judge appointed to the case was Judge _____. Judge _____ also had conflict of interest with the Respondant. He was the legal representative for the Respondant in a case _____ earlier. Since the judge had recieved payment from the Respondant, it could be taken as an exchange for monetary means for a bias judgment. The Respondant confronted Judge _____ with information about the conflict of interest. The Judge acknowledged there was indeed a substantial reason but refused to step down from the case. His secretary, _____, was present for the conversation between the Respondant and Judge _____. Judge _____ continued with an illegal ruling for the civil case even though he was informed about the misconduct. Judge _____ should have mirrored Judge _____ once the issue was known. The civil case took place in _____. There will be an appeal for the case once the judge is aware of his misconduct and the legal reasons for the appeal. A reminder is not needed since he had to _____ and to enforce that law as a judge. Being a judge is about moral integrety not about covering up facts and practicing illegal power.