

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-252

Judge:

Complainant:

ORDER

December 11, 2020

The Complainant alleged a superior court judge publicized protected health information.

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 and Michael J. Brown did not participate in the consideration of this matter.

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

2020-252

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 was sentenced to DOC/probation under my maiden name as my divorce was final before sentencing. _____ is under my married name however

On _____ my case was set for a Admission. against my request to the public defender. On _____ I was transferred from _____ Jail to the _____ Hospital. I was diagnosed with COVID 19 (Coronavirus). After being transported back to Jail my Defender visited with me for a few moments. I told him I was in quarantine for testing positive. I asked him to get me a medical Release. Judge had denied me bond/hail at my arraignment for no legal reason. It was a personal decision because he was a _____ and the amount of restitution.

I was told by the Detention Officers I could be present at the hearing on through telecom however the judge would not allow it. My attorney was to ask for release on my past history of years never missing a court hearing. Instead he advised the court of my test results breaking client-attorney privilege. And then Judge repeated my results to the court for record. That record is now public. It is published and has been accessed by my clients and friends. I feel it was maliciously done and violates my HIPPA rights.

CONFIDENTIAL

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

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In addition to this HIPPA complaint. I have a few items to mention only to look for answers.

I filed a motion with the court to dismiss because I had no idea of any charges against me for over "the clerk" my motion so I sent a letter directly to the judge with the same motion to Dismiss. Judge has yet to respond. I understand this is common practice with the Judge.

Judge appears telephonically to his courts. I understand coronavirs. However the other judges appear telecom (television). Is Judge ill and on medications that impair his judgement? Are our files exccessable to him at home?

I understand these are trying times for the courts, etc. However I do not feel this is grounds to throw the Rules & laws out of the court for the attorneys and judicial system. My health is my privacy. They could have said "It at least should not been made public on the internet."

I have another court date on "with Judge who will not remove the public defender as asked in my motion or give me bail/bond. I'm not trying to escape responsibility I am fighting for my rights and my life. Any advise or ruling will be respected. Respectfully