

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-262

Judge:

Complainant:

ORDER

A superior court judge self-reported a delayed ruling in a juvenile 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.

After review, the Commission found the judge's ruling in this matter was overdue by approximately three months. While this was improper under Rule 2.5(A) of the Code and A.R.S. §12-128.01, the Scope Section of the Code provides that not every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the Complaint pursuant to Commission Rules 16(b) and 23(a), but to issue a warning letter to the judicial officer to ensure all future rulings are made timely.

Commission member Joseph C. Kreamer did not participate in the consideration of this matter.

Dated: November 17, 2020

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all appropriate persons on November 17, 2020.

Comp (Self-Report)
2020-262

JUDGE

TELEPHONE:

To the Arizona Judicial Conduct Commission:

I am self-disclosing a violation of the 60-day rule. On _____, an attorney brought to my attention that I had taken evidence on _____ in a juvenile severance matter following a no-contest plea, but never issued my ruling. The case number is _____. Despite processes I have in place to prevent under advisements from falling through the cracks, this one did. On the day I received notice of the oversight, _____ I reviewed my notes from the hearing, reviewed the trial exhibits, and issued a ruling.

Though it is no excuse, I was going through a medical issue at the time (unrelated to COVID). On the day of the hearing, _____ I left work early for an MRI. I had surgery the next week, and fully recovered a few weeks after that.

Please contact me with any questions.

Sincerely,

Judge