

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-272

Judge:

Complainant:

ORDER

A superior court judge self-reported a delayed ruling.

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 that the judge failed to make a ruling in a timely fashion and then failed to ensure his draft ruling was finalized, filed, and distributed accordingly. While this was improper under Rules 1.1 and 2.5(A) of the Code of Judicial Conduct, Article 2, Section 11 of the Arizona Constitution, and Article 6, Section 21 of the Arizona Constitution, 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 reminding him to issue rulings in a timely manner.

Commission members Roger D. Barton, Joseph C. Kreamer and J. Tyrrell Taber did not participate in the consideration of this matter.

Dated: March 17, 2021

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on March 17, 2021.

Comp (Self-Report)
2020-272

To the Arizona Judicial Conduct Commission:

I write to disclose a violation of the sixty-day rule. On _____ an attorney in _____ filed a notice with the court bringing to my attention that a motion to dismiss fully briefed (in _____) was still pending. Despite processes I have in place to prevent motions falling through the cracks, this one regrettably did.

I have since reviewed the briefs and ruled on the motion.

Please contact me with any questions.

Sincerely,

Judge