

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-346

Judges:

Complainant:

ORDER

The Complainant alleged a superior court commissioner has neglected his duties by failing to make timely rulings.

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 commissioner had failed to issue timely orders on two matters in a domestic relations case. While this was improper under Rules 1.1 and 2.5(A) of the Code of Judicial Conduct, as well as A.R.S. §12-128.01, 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 to ensure he makes all future rulings in a timely manner and to ensure calendaring and tracking processes are implemented both by him and his staff.

Commission members Delia R. Neal and Christopher P. Staring did not participate in the consideration of this matter.

Dated: May 13, 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 May 13, 2021.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

20-346

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.

RE:

In _____ I appealed the ruling the Honorable Judge _____ made in my case.
In _____ The _____ re-vested the case back to Judge _____ in that the order had not been signed, and to make a ruling on the arrearage of pension payments.

As of today _____ Judge _____ has failed in that he has not ruled on the matter and has neglected his duties.

The COVID-19 pandemic has undoubtedly created unprecedented changes in how courts operate. It is reasonable and expected.

There has been communication with the Judge's court staff regarding this case, and Judge _____ has not followed through to complete this.

The _____ has granted about _____ continuances. My attorney has already briefed these issues.

The _____ is now scheduled to dismiss the appeal on _____ if no ruling is issued and docketed.

This has incurred additional expenses believed to be unnecessary and negatively affected the quality of life.

Judge _____ has been negligent in performing his duties as a Superior Court Judge for the County of Arizona.

Thank You