

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-089

Judge:

Complainant:

ORDER

The complainant alleged a pro tem superior court judge engaged in improper demeanor and displayed bias during a settlement conference.

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 Commission approved sending the judge an advisory letter reminding the judge of her obligations under Rule 2.8(B) of the Code. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission members Roger D. Barton, Barbara Brown and Delia R. Neal did not participate in the consideration of this matter.

Dated: September 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 September 17, 2021.

21-089

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.

On _____, I had such an experience that I must ensure that this "Judge Pro Tempore" is not doing this to others in our community. I am expressing my concerns about _____ based on my experience on _____. I had a mediation meeting due to a dissolution of marriage. This meeting was such a disaster due to _____ mediator skills. From the beginning, _____ was confrontational and was upset because she felt that the meeting was supposed to start at _____. When I logged in to the virtual meeting using a Zoom platform, _____ spoke to me in a rude manner, which was short, spoke fast in a rush, and told me that my lawyer was running late. I proceeded to ask for clarification on many occasions, she was not only visually frustrated with me but also directed her questions to my council.

On multiple occasions, she raised her voice at me and spoke down to me in a condescending fashion. After repeated attempts to ask her for clarification on many matters, she was upset and changed body positions, and then raised her voice. She answered in an argumentative manner. In addition, she gave her personal opinions and used her personal feelings to demonstrate her interpretation of the law. She also seemed to judge and state that I did not deserve anything based on her thoughts. I feel that I was treated unfairly and was retaliated against because my attorney was late. My attorney was double booked and _____ took it upon herself to schedule our meeting during my attorney's court hearing _____ prior to our virtual meeting. This meeting was scheduled by my Judge and _____ took the liberty to schedule another time other than what was set. _____ failed to schedule this meeting in a timely manner with the consideration of other parties schedules in mind. She also seemed very uninterested in my position and was rushing me because she had a _____ appointment.

How was this organization (_____) even given the approval to mediate for _____ County Court cases?

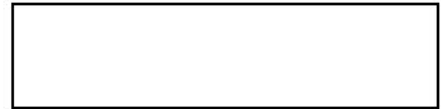
Is she being supervised?

_____ behavior was extremely unprofessional, ill-mannered, and inappropriate throughout the entire time. My lawyer _____, can attest to my testimonial. _____ kept bringing up her personal life into my case and compared situations. _____ proceeded to exercise her authority to make precedence over Arizona Revised Statutes. She was being judgmental and assumed on several occasions to fully comprehend my case without factoring in all the elements before coming to a conclusion. She made inappropriate comments that made me feel uncomfortable. _____ was unorganized and lacked to convey the agenda and goals of this conference. She assumed that everyone knew what was expected and required for this meeting. This is one of the reasons the meeting failed from the beginning. She lacks communication skills by far and based on my experience, she should not be a mediator. In retro spec, I felt like my rights were violated based on her bias remarks to the judge me. She in fact discriminated against my personal lifestyle at one point and my position as a father.

CONFIDENTIAL

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

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In the end, _____ was very condescending towards me and expected me to have an answer on the spot without giving me the opportunity to discuss with my attorney. _____ also mentioned that she had an appointment at _____ and we needed to hurry and could not take up all the allotted time. She used the time inappropriately to talk about her ex-husband, her _____ child, her pickup experiences, and her relationship with her ex-husband. She failed to make this mediation process succeed due to her lack of communication, bias discrimination against me as a male, father, and her unfair professionalism. I would like to file a formal complaint against _____ and need to know what steps and procedures I must take to records her actions so that she does not impact someone else based on her prejudiced actions. Please let me know what I have to do to move forward with this request. Please feel free to contact me via email or phone at _____

Re: _____ (State Bar No. _____)
Case No. _____