

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-242

Judge:

Complainant:

ORDER

January 12, 2022

The Complainant alleged that a judicial officer incorrectly calculated his damages.

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 does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. 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 Christopher W. Ames, Barbara Brown, and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 12, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-242

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: Hearing Officer

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 know a _____ case cannot be appealed. I know your panel does not change court decisions, but in addition to hearing officer _____ errors in court there was also a _____ error made in the final decision and that error should be corrected. I know, that if a court decision would have wrongly added a _____ to an award the court would not let that error stand. I believe the hearing officer error on _____ matters including _____ errors and it affected the amount of money she awarded me. I was asking for \$ _____ and hearing officer _____ only awarded me \$ _____. I do not believe she understood the complexity and my requests and of the case and she rushed the hearing. She also refused to accept a receipt I attempted to present for additional costs since my original court documents were filed.

At the start of the hearing, she asked if I had any additional costs to declare and I said I did, I had an additional expenditure of \$ _____ for a _____ Department _____ report. I offered her a copy of the invoice, but she refused to accept it. So, how would I ever get reimbursed when I win the case? This error right at the start of court affected the amount I was going to collect.

She then asked me how I could have over \$ _____ in _____
She was misreading the court paperwork to my detriment. In reality I was suing for \$ _____ plus \$ _____ court filing costs, plus \$ _____ for postage and the \$ _____ I claimed that _____ or a police report. I don't understand how she thought it was over \$ _____ in additional costs. I think that error or misunderstanding affected my judgement amount, since she thought I was asking for too much in additional costs.

I believe I was not afforded the opportunity to be made whole at the hearing, if no other way, through a _____ error. I have no idea how she came to the award amount that she awarded. I feel it hurt my award amount that the hearing officer did not understand what I was asking for. I believe it hurt my case that I was not allowed to present my additional costs.

I am only asking for this _____ error to be corrected. I know that if the court made a mistake and paid a plaintiff too much that the error would be corrected. I believe it needs to be corrected now in my favor and I need to be made whole. I was cheated out of almost \$ _____ due to an adding error.

I am on a fixed _____ income and I also work _____ jobs to make ends meet. This award was very important to me and it was partially lost because of what I believe were _____ errors.

I, _____ have spent the following personal funds because of the illegal actions of _____ and _____ and would like to recoup these funds.

\$	_____	to determine exact property line after property damage done by defendant.
\$	_____	after the defendant built wall On my property. The wall was removed by the Contractor after I proved it was built on my property.
\$	_____	Court Filing
\$	_____	Mailing with proof of service of Complaint
\$	_____	Mailing of Application
\$	_____	for Request for Default Judgement
\$	_____	Stamped envelopes for _____ party as required
\$	_____	Mail large envelope with receipts and evidence to defendants
<hr/>		
\$	_____	obtained after all court docs submitted.
\$	_____	Costs told to Hearing Officer _____ but she would not
TOTAL SPENT	\$	_____ The receipt as evidence of costs spent

I'm a requesting the court award me the total of the above expenses in full, which totals: \$ _____ and any additional expenses it ends up costing to recover the awarded amount, including interest, filing fees, garnishment fees, judgement debtors exam fees, and any other legally recoupable money as determined, defined or calculated by the court.

Respectfully,

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**