

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-247

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Judge:

Complainant:

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**ORDER**

May 18, 2022

The Complainant alleged that a superior court commissioner displayed poor judicial demeanor during a hearing.

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 complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 18, 2022.

21-247

**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.

I believe Commissioner \_\_\_\_\_ violated rules 1.1, 1.2, 2.2, 2.3, 2.6, and 2.8(b) of the Arizona Code of Judicial Conduct during a virtual status conference on \_\_\_\_\_ Commissioner \_\_\_\_\_ was rude, dismissive, and impatient as he conducted the hearing. Defense Counsel moved to modify the release conditions of his client, to which neither the State nor the victim objected. Commissioner \_\_\_\_\_ showed no regards for the statements made and immediately made a ruling to affirm release conditions. Defense Counsel attempted to reply to the State's position, as is allowed under the rules of criminal procedure, but Commissioner \_\_\_\_\_ cut him off saying that Defense Counsel did not get to add more information. Defense Counsel attempted to explain to Commissione \_\_\_\_\_ that he had a right to Reply under the rules, but Commissioner \_\_\_\_\_ cut him off in a hostile manner. It was clear that the Commissioner had determined prior to the motion being made that he would be denying release, as he seemed more interested in moving through his calendar quickly.

An assistant attorney general, \_\_\_\_\_ witnessed the exchange and texted Defense Counsel once the hearing was over. Specifically, she asked what had just happened and said, "I couldn't wrap my head around it." Commissioner \_\_\_\_\_ demeanor also caused another defense attorney awaiting a hearing to withdraw her motion to modify, as the Commissioner had made it clear he had prejudged all motions to modify.

Commissioner \_\_\_\_\_ actions showed he cares more about his calendar than the fair and impartial application of the rules and justice.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

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