

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-268

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Judges:

Complainant:

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**ORDER**

November 21, 2022

The Complainant alleged improper rulings, including an unlawful sentence, and poor demeanor on the part of a justice of the peace pro tem hearing a criminal case.

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 on the part of the justice of the peace pro tem. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a). Public access and confidentiality as to the involvement of the justice of the peace pro tem in this matter shall be governed by Commission Rule 9(a)(1).

Commission member Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 21, 2022.

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-268

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Judge: Donald G. Roberts

Complainant: Amanda Russell

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**ORDER**

November 21, 2022

The Complainant alleged improper rulings, including an unlawful sentence, and poor demeanor on the part of a justice of the peace hearing a criminal case.

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 had initiated formal charges against Judge Roberts in a separate matter, CJC Case No. 21-265, including allegations of improper demeanor and imposition of improper and excessive sentences, similar to the allegations raised by the Complainant in this matter. Judge Roberts died on September 30, 2022, while the formal proceedings and this complaint were pending. At this time, there is no purpose in continuation of this complaint. The complaint in this matter is therefore dismissed pursuant to Commission Rule 23(a). Pursuant to Commission Rule 9(c)(2), the Commission has chosen to make the complaint and dispositional order in this matter public as it pertains to Judge Roberts.

Commission member Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 21, 2022.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2021-268**

**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.

in order for this complaint to make sense I have to give a bit of back story, it will appear that I am complaining of attorney misconduct, but that is only the back story to the judges behavior when attorney misconduct was brought to his attention. Simply put, the judge told me in court that if I didnt keep quiet about the attorneys misconduct he would have me arrested and held for 16 months. I need this commission to understand that I am currently in jail and the court is stone walling me, refusing to provide me the relevant court documents, nor transcripts, even though I put in an official request. Please excuse my writing as I have nerve damage. I have attached the full story on a separate sheet but I do not have access to. Plain paper, only lined paper.

Thank you



This piece of the story begins the day I signed my plea agreement, I had concerns about the plea, the way it was written did not seem right to me, it was not what had been previously discussed with the original attorney, [redacted] was the original public defender but [redacted] took my case when it was transferred to Justice court, the day I was supposed to sign the plea agreement [redacted] told me he didn't know anything about my case, [redacted] had not even opened my file, I told him my concerns with the plea agreement, he said "[redacted]" and left me to talk it through with the student observer, myself and the student observer talked about the plea being "[redacted]" but that the court would honor what my original attorney talked about, shortly after I began the probation and Drug Court program, I realized I was right to be concerned, And I felt my attorney had failed in his duties so I told the Drug Court Public defender



that I wanted to File For post conviction relief, now I on my 3<sup>rd</sup> public defender, apparently each one handles a different part of the case but this one [redacted] told me that because I was [redacted] his office, he would not help me, he then proceeded to call and tell Judge [redacted], the prosecutor [redacted] and the probation officer [redacted] and the worker from [redacted] that I planned to File For post conviction relief and when I showed up at my scheduled drug court date, Judge [redacted] actually threatened me with retaliation stating "[redacted]" [redacted] "I kept asking for an attorney, [redacted] stated he does not represent me, he represents Drug Court. Judge [redacted] forced me to agree right then and there that I would not File For post conviction relief do to incompetent representation.

interfering with a judicial process -  
The right to appeal for post conviction  
relief is a " [redacted] " not a " [redacted] " Judge  
[redacted] interfered with this process by threatening  
me.

Corruption.

the Judge, Prosecutor, Public Defender  
and Probation officer Coluded behind  
the scenes to intimidate me into not  
exercising my rights and shutting me up  
Threatening and intimidating

By means of losing my program, lengthy  
incarceration, Directly as to stop me  
from applying for post conviction relief  
immediately following informing of my intentions,  
violation to constitutional rights

I have a right to Fair, unbiased  
Judicial Process, I have a right  
to an attorney, I have a right to  
expect attorney client privilege,  
I asked for the transcript from this  
Court date, formal written request,  
they never answered my request. However  
my next probation appointment I was arrested  
for " [redacted] ".



A year and a half later, after  
the hostile court environment caused  
my program to fail, I went ahead  
and filed my intent to file post conviction  
relief, Again asked for an attorney,  
Justice court never even  
acknowledged it,

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1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

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**2021-268**

**COMPLAINT AGAINST A JUDGE**

Name: Amanda Russell Judge's Name: Roberts

**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.

Judge Roberts was my Drug Court judge. This judge had no intention of honoring my Plea agreement, frequently changed the rules of the program Deliberately to my disadvantage showing great bias. Judge Roberts frequently used abusive rhetoric toward me, going on 30 min long speeches about how hard it is to have a person with mental illness in Drug Court, how much work I am. Judge Roberts requires a text book which is abusive with statements like "addicts are dumber than goats" and "the world is better off without me" Judge Roberts Failed to protect me as a person with mental illness to be free from abuse,



Judge Roberts is abusive, repeatedly commenting about how much trouble it is to have me in his court how I had required the most time having to consider my mental illness when evaluating my performance, this was stated on at least 7 separate occasions in open court, the judge kept asking me if I understood how much trouble I am, and threatened me with a year in jail, even though that's not what's written on my plea agreement, any time I tried to bring the topic back to regulations, policy or law, the judge became angry, shouting at me, refused to discuss the details of my plea agreement or even what is exactly expected of me, Judge Robert frequently spent 50% of the drug court time blot bawling me into hysterics, crying and begging not to be taken away from my baby, then he would simply send me away, traumatized, hysterical and with absolutely no guidance as to how I should proceed with the program.

Disappointed that I had completed a Full year with no major violations and no relapses the court showed extreme bias against me personally making charges to the program without notice and making them retroactive to the beginning of my program which after a year on the program, ready to graduate put me back at just starting level 2. prior to the charges candidates would be allowed to graduate if they owed money, but they would be placed on unsupervised probation until they paid, the court changed it specifically to target me so that I would not be able to move forward until I came up with thousands of dollars...



this behavior began in October of 2019 and occurred randomly until June of 2021, I never knew when I went to Drug Court what was going to happen to me, after about 14 months of abuse I finally turned to drugs in order to cope with the continued trauma,

- Page/Fredonia DUE Drug Court has no respect for the law, they know what they are doing is not legal but the attitude is that, the candidates are poor, uneducated, with low self esteem and the board members will cover for each other, therefore they have all the power and can do whatever they want. To be honest, the person whose behavior I found to be the most shocking is that of the prosecutor, I think it's fair to assume a county prosecutor would uphold the highest standard of legal and ethical principals, but when my rights were violated, when I was threatened with retaliation if I didn't keep quiet about it Mark Huston didn't say a word, which brings into question the integrity of the entire court process.

my experience is not unique, The Page/Fredonia DUI Drug Court is currently operating under the same low ethics and scammy maneuvers in order to gain access to new, unsuspecting potential candidates, I met one such person in jail, like me she was not allowed to review the plea agreement until it was to be signed, the conditions were deliberately vague, she was being held on excessive bond in order to keep her in a state of emergency, that way, even when she realizes that the Page/Fredonia DUI Drug Court is a bad deal, she will be compelled to sign in desperation to reunite with her children, she was 1 court date away from signing the plea and nobody told her that she would have to have a great deal of money within 60 Days. no one told her any of the expectations which would be put on her at the constant threat of lengthy jail time, this is concerning, I am asking that the Page/Fredonia DUI Drug Court not be able to access anymore potential candidates until the review is complete.