

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-307

Judge: M. William Rummer

Complainant: Scott Sloan

ORDER

The Complainant alleged that a justice of the peace displayed poor judicial demeanor and made statements that showed an appearance of impropriety.

S.S. appeared before Judge Rummer in two criminal misdemeanor matters. He appeared before Judge Rummer on August 3, 2021 when he was picked up on a warrant for failing to appear for a prior court date. During this appearance, S.S. twice stated he would be hiring an attorney. Judge Rummer questioned S.S. about the reasons for his failure to appear at a prior court date, and then he used those answers against S.S. to coerce him to plead guilty and noted, “I’m pleading you guilty.” In doing so, Judge Rummer failed to follow proper procedure, such as giving the requisite plea colloquy or required advisories. Such actions do not promote confidence in the judiciary.

The Commission found that Judge Rummer’s conduct as described above violated the following provisions of the Code:

- Rule 1.2 (Promoting Confidence in the Judiciary) which states, “A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”
- Rule 2.2 (Impartiality and Fairness) which states, “A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.”
- Rule 2.6(B) (Ensuring the Right to Be Heard) states, “A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute, but shall not coerce any party into settlement.”

While the Commission found that Judge Rummer's demeanor in this matter was not optimal, they did not find that there was clear and convincing evidence of a violation of Rule 2.8(B).

Accordingly, Justice of the Peace M. William Rummer is hereby publicly reprimanded for the conduct described above and pursuant to Commission Rule 17(a). The record in this case, consisting of the complaint, the judicial officer's response, and this order shall be made public as required by Commission Rule 9(a).

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

Dated: May 24, 2022

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 24, 2022.

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature: _____

Date: 9-9-21

INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

8-3-21 I was picked up for missing court which I called because I am a sick man and tried to reschedule. The judge in the most outrageous unprofessional in terminating harassing manner made aggressive body language and vocal contact towards me several times. He tried to make me plea when I was not prepared. Also I made the remark I have been having trouble with R F since he never put my protective order against him from last year. He also made the remark of "Are you saying my Sheriff's lie. The video and deputy will provide facts."

I have court without him I hope next week. HELP

M. William Rummer
J. O. Dow
Davey, Arizona 86327

Resp (Rummer)
21-307
2/9/22

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

February 9, 2022

EMAILED: cjc@courts.az.gov

RE: Complaint No. 21-307
Mr. Scott Sloan

Honorable Chairman and Members of the Commission:

In response to this complaint I apologize to Mr. Sloan for my actions and demeanor on the afternoon of August 3, 2021. I certainly didn't demonstrate good judicial demeanor on that day.

On August 3, 2021 Mr. Sloan was brought into court by a deputy to appear on a warrant for failure to appear on case CM-2021-000128. He was also appearing on case CM-2021-000202. The charge on this file was Interfering with a Judicial Proceeding. It was 1:35 in the afternoon before the hearing started.. I had been advised early that morning that I had _____, _____; I was to get into the doctor's office "stat" that day. The alternative would be to pass out. I made plans to leave for the doctor's immediately following lunch. The deputies call that he was bringing in a prisoner stopped that whole process and increased my anxiety. I saw Mr. Sloan starting at 1:35.

I have been Justice of the Peace here for twelve years and have never had a complaint about my demeanor. In fact I enjoy a reputation as an even-handed and patient judge in the communities that this court serves. In this case my ignoring or not hearing Mr. Sloan's request for time to get counsel stands out as particularly inexplicable to me.

Mr. Sloan's cases will be heard at trial in this court on March 1, 2022 and I am getting a pro tem to hear them.

In conclusion, I again apologize to Mr. Sloan.

Sincerely,

Hon. Bill Rummer
Justice of the Peace, Mayer Justice Court