

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-346

Judge:

Complainant:

ORDER

September 14, 2022

The Complainant alleged a justice of the peace did not allow a witness to testify, allowed the opposing party to engage in dual representation, and ruled incorrectly.

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 Denise K. Aguilar, Roger D. Barton and Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 14, 2022.

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

FOR OFFICE USE ONLY

21-346

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.

The judge in this case did not allow my witness to testify to the reasonableness of said fees which were in dispute, we clearly overheard the plaintiff which is also an attorney that is suing me for his fees in this case speaking to his attorney and directing him to ask questions, as I would answer, he would speak to him and tell him what to ask next. As far as I understand in legal proceedings the plaintiff who happens to be an attorney cannot represent himself nor can he ask direct questions to the defendant. You can review the audio and hear this over and over. The judge at one point was asked by my attorney if he could review something to which he responded, " _____ " The case was still being discussed. The judge also allowed the plaintiff to miss the original disclosure deadline, then not disclose anything further to us prior to the reset of the trial date. The judge didn't state in his decision any findings other than I rule in the plaintiffs favor. The judge ignored a clause in the contract that states "shall be arbitrated." My case was never arbitrated instead I was sued and brought straight into court. The judge seemed to not be paying attention to details during this case and thereafter and lacked the concern for the defendant and seemed to just be lazy in his consideration of all particulars. I would like for the case to be reviewed extensively and then allowed the opportunity to present crucial evidence by other parties involved with my case, which I was not afforded by this judge. I am referring to the testimony of _____ my family law attorney which would testify that _____ grossly overcharged me for the services rendered. Since the trial I have sought Fee Arbitration however, the State Bar is denying hearing my case as they are sitting this court's ruling, which contradicts the judges position during trial of which was that this case was not a dispute as it relates to the reasonableness of fees. It was and has always been my position that I was overcharged for services provided by _____

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