

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-030

Judge:

Complainant:

ORDER

July 21, 2022

The Complainant alleged a small claims court hearing officer did not place the parties under oath for 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 J. Tyrrell Taber did not participate in the consideration of this matter.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

22-030

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.

On _____ I was a plaintiff in a case captioned as _____
This case was a small claims case in which I was a plaintiff seeking to recover _____ in unpaid fees promised to me for providing architectural design services. This _____ case was held remotely, I had to wait and reasoned for questions and answers. At no time during or before the proceedings, neither the clerk nor the judge administered an oath to swear in the parties. I am not a lawyer, however, I am sure that statements of parties which are not sworn in, cannot be held as truthful. So, I filed "A MOTION TO SET ASIDE" the decision since I believe that it would be a defective proceeding and therefore, the outcome cannot be relied on as JUST. I am NOT APPEALING or in any way asking for reconsideration of the ruling. However, I noticed the clerk reneged my filing and instead of addressing my comment, they summarily rejected it based on the fact that they did not want to address my claim. Instead, they swept it under the rug.

As a valid document for my claim, I draw your attention to the court hearing transcript.

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