

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-111

Judge:

Complainant:

ORDER

February 13, 2023

The Complainant alleged a superior court judge made untimely rulings in a family court 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. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission member Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 13, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-111

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.

held two hearing regarding the dissolution of marriage in _____ on _____ and _____
She had 60 days to make a ruling on the matters, placing the deadline on _____
Instead of deferring the matters for decision by the supreme court, Judge _____ issued an
unconstitutional ruling on _____ 89 days after the hearing. She clearly did not have the jurisdiction to
issue a ruling after 60 days in accordance with the state ' s constitution.

Section 21. Every matter submitted to a judge of the superior court for his decision shall be decided
within sixty days from the date of submission thereof. The supreme court shall by rule provide for the
speedy disposition of all matters not decided within such period.

Judge _____ has clearly demonstrated her inability to provide a ruling within 60 days in accordance
with Rule 91 (e) and the Arizona Rule of Judicial Conduct 2.5 (a)

If Judge _____ pay was not withheld it is also a violation of 12-128.01
12-128.01. Receipt of salary by judges and commissioners; affidavit; pending and undetermined causes;
violation; classification

A. A _____ court judge or commissioner shall not receive his salary unless such judge or commissioner
either certifies that no cause before such judge or commissioner remains pending and undetermined for
sixty days after it has been submitted for decision or there is submitted by the chief justice of the Arizona
supreme court a certification that such superior court judge or commissioner has had a physical disability
during the preceding sixty days or that good and sufficient cause exists to excuse the application of this
section to particularly identified litigation then pending.

B. Any certification submitted by the chief justice pursuant to subsection A shall set forth in detail the
nature and duration of the physical disability involved or the reason why subsection A should not apply to
the specified pending litigation.

C. Any person who issues or causes to be issued any check, warrant or payment to a judge or
commissioner knowing that, pursuant to this section, such judge or commissioner should not receive his
salary is guilty of a class 3 misdemeanor.