

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-113

Judges:

Complainant:

ORDER

October 13, 2022

The Complainant alleged improper rulings and ex parte communications by two superior court judges and their staff.

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 members Colleen E. Concannon and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 13, 2022.

Comp

2022-113

ARIZONA Commission on Judicial Conduct
ARIZONA Council

Re: Judge

County

① Judge

ISSUED AN ORDER that I SEEK
Permission FROM

Judge Before Filing
ACTION

(THIS IS NOT AN ISSUE)

② Last Year I WROTE to
Judge AND

ASKED HER Permission to
File AN ACTION.

③ Judge SENT ME this letter
Returned ALL Documents And
Signed the DEFENSE OF FEES.
In accordance with her Directives
I mailed the Papers to the Clerk
For Filing.

④ The EX PARTE ACTION
FILED the CASE
And it is Assigned to
Judge

⑤ The FILED A MOTION
to Dismiss before Judge

⑥ The Called the Judge
And ASKED her to Change
her ORDER

(a) The Judge And
Knew that As the CASE
was Assigned to Judge
... They could
Not Contact Another
Judge - On the issue
before Judge

(b) Judge then - AFTER
the call - BASED ON EX PARTE
CONDUCT - ON A CASE NOT
ASSIGNED TO HER - ORDERED
That Judge - by this
letter AND HER ORDER THAT
DEFERRED FEES - DID NOT
give me permission to
file the ACTION.

(c) This letter is plain - that
I Am Allowed to file the
ACTION

(d) ORDER DEFERRING FEES - IS
permission to file

THE VIOLATION

Knowing their conduct is unlawful

⑦ E + EX PARTE CONDUCT VIOLATES
Rule 2-9 see In RE HENNING
AND in this CASE:

(a) The Judge - WAS NOT
Assigned the CASE -

(b) Judge By stating
what she wrote in this
letter and order that
Deferred Fees - 'was not
permission - Violated Rule
1.2

(c) Judge Violated
Rule 2.4 Because she
exercised external influence
on her conduct.

(d) Judge
covered this up.

Conclusion
(9) This is my complaint
for ex parte conduct by
Judge - issuing
orders in a case not
assigned to her about issues
before Judge.

(10) And
Covered by Judge

Revised


FROM THE CHAMBERS OF

**COURT OF ARIZONA
COUNTY**

JUDGE

Dear :

The court received a pleading from you. The pleading appeared to request a waiver of filing fees. Section 12-302(E) of the Arizona Revised Statutes states that "[e]xcept in cases of dissolution of marriage, legal separation, annulment or establishment, enforcement or modification of child support, . . . if the applicant is an _____ who is confined to a _____ operated by the state _____ of _____ and who initiates a civil action or proceeding, the _____ is responsible for the full payment of actual court fees and costs." The statutory provision allows for a fee deferral, but not a fee waiver.

 Because your document did not include a filing fee or proper request for deferral, the document was not accepted by the _____ of Court. Therefore, I am returning your original pleading with a signed application for deferral of filing fees, which you may then send to the _____ of Court for filing.

Judge