

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-182

Judge:

Complainant:

ORDER

August 25, 2023

The complainant alleged a superior court judge engaged in a sexual relationship with a court employee and took retaliatory action against that employee when the relationship ended.

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 conducted a detailed investigation of the allegations, including interviews of the parties involved and other witnesses. The evidence obtained was inconclusive or conflicting in nature. Under these circumstances the Commission concluded it would not be able meet its evidentiary burden of clear and convincing evidence, as required by Commission Rule 27(f)(1), should this matter proceed to hearing. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission members Denise K. Aguilar, Roger D. Barton, Michael J. Brown, and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 25, 2023.

Comp

2022-182

**JUDICIAL BRANCH OF ARIZONA
IN AND FOR THE COUNTY OF**

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

RE: Judge

Members of the Commission,

On _____ Judge _____ of the _____ Court in _____ County notified me that a staff member disclosed to her that she had engaged in a lengthy sexual relationship with Judge _____ while the staff member was under the directly employ of Judge _____. Further, the staff member stated that Judge _____ had threatened adverse employment action stemming from this relationship. I directed Judge _____ to have the staff member contact Human Resources. Due to the nature of the information conveyed, I immediately instructed the Human Resources Director and Court Counsel to conduct a preliminary investigation of any complaint received, for submission to this body.

The Human Resources Department of the Judicial Branch in _____ County received a complaint on _____ and completed their investigation on _____.

The written Complaint and Confidential Personnel Investigation are attached as Exhibits A and B respectively. I am submitting this Judicial Conduct Complaint pursuant to my general duties as _____ of the Judicial Branch in _____ County as well as my duty as a judicial officer to report claims of Sexual Harassment pursuant to Section 1-304 C. of the Arizona Code of Judicial Administration.

The conduct described in the Complaint and Confidential Personnel Investigation constitutes numerous violations of the Arizona Code of Judicial Conduct, including:

- Sincerely,



Attachment A

Complaint

COURT DEPARTMENT DISCRIMINATION COMPLAINT FORM

Date of Filing: _____

Addressed to: (Indicate which one)

- ☒ Immediate Supervisor _____
☐ Other Supervisor _____
☐ Appointing Authority _____
☒ Human Resources _____

Employee Name: _____ Classification: _____

Department: _____ Division/Low Org: _____

Date of the event or action (or knowledge of the event or action) being grieved: _____

Date of verbal discussion with supervisor (if applicable): _____

Event or action being grieved: Sexual Harassment and Retaliation.

Statement of Facts: See Attachment

Requested Remedy: See in Statement of Facts Attached.

Employee Signature _____ Date: _____

FOR USE BY JUDICIAL BRANCH HUMAN RESOURCES:

Date Received by Judicial Branch Human Resources Department: _____

Signature Acknowledging Receipt of Complaint _____

statement of facts.

I feel Judge [redacted] as my Judge, used his power and authority to manipulate me into doing something I would normally never have done. I feel like Judge [redacted] is a predator and he preyed upon my vulnerability, and I was at a very low point in my life; my [redacted] my marriage was not very happy at this time and I felt like my husband and I were constantly arguing [redacted] and Judge [redacted] allowed me to [redacted] because [redacted] all day was too difficult mentally for me, I had [redacted] in [redacted] and was [redacted] in a lot of pain on a daily bases with no pain medication only over the counter medication, and I was not [redacted] until [redacted] afterward, on [redacted] until [redacted] (Judge [redacted] made arrangements for me to park in the [redacted] at the [redacted] from [redacted]) I feel Judge [redacted] used all this information to fulfill his own gratification.

[redacted] Judge [redacted] approaches my desk and [redacted] me and say's the phrase " [redacted] ."

[redacted] Judge [redacted] kissed me.

[redacted] to [redacted] Judge [redacted] would call me into his office 10 to 15 times a month, close the door and would have sexual interaction with me during business hours, which consisted of heavy petting, touching under clothing, kissing fondling etc.

[redacted] to [redacted] Judge [redacted] would have me stay after work to have sexual interactions 8 to 10 times a month, which consisted of heavy petting, touching under clothing, kissing, fondling etc.

[redacted] Judge [redacted] called me into his office to have sex.

[redacted] Judge [redacted] had me come to his residence to have sex.

[redacted] to [redacted] Judge [redacted] car broke down and I became his ride home 1 to 2 times per week during this time; afterwards, he gave me a \$50 gift card.

[redacted] or [redacted] (don't remember which date): Judge [redacted] had me leave work early and meet him at his parent's condo to have sex.

I [redacted] : Judge [redacted] had me meet him at his parent's condo to have sex.

[redacted] : I tell Judge [redacted] that I told my husband [redacted] everything. Judge [redacted] next comment was " [redacted] " [redacted] ?". I say yes. Judge [redacted] said " [redacted] "

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**