

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-186

Judge:

Complainant:

ORDER

February 22, 2023

The Complainant alleged improper legal decisions by a justice of the peace hearing an injunction against harassment.

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).

Copies of this order were distributed to all appropriate persons on February 22, 2023.

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

22-186

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.

Judge _____ made the ruling decision the same day of the hearing, _____, though did not inform Mr. _____ of the verdict until _____. (Please find attached email from Arizona Judicial Branch's investigation).

Judge _____ stopped the hearing to tell me to stop looking at his staff a couple of minutes into the hearing.

Judge _____ told me that he needs several days to speak with some people and then he'll make a decision and inform all parties.

According to Mr. _____ Judge _____ made numerous mistakes throughout the hearing regarding unavailable witnesses and non-existent evidence handling.

Very Sincerely,

File No:

To:

Cc:

Mr. : I discussed your allegations with Mr. .

I understand that you retained Mr. to represent you in attempting to quash an . A hearing occurred on

On the same date, but after the hearing, the court entered an order affirming the .

You allege that Mr. failed to timely inform you of the court's order such that your appeal rights were impacted. You informed me that Mr. informed you of the court's order on .

Mr. states that he did not receive the court's order until , and that he informed you of the court's order on the same date. He states that you had days to file a notice of appeal such that you still had time to file the notice of appeal if you wanted to do so. Mr. further informed me that you told him on and on that you did not intend to appeal the court's order.

You also allege that Mr. was unprofessional during the , hearing because he pushed you to the side of the table in the courtroom. Mr. denies this.

Based upon the above, I have determined that further investigation is not warranted at this time. There is not clear and convincing evidence of an ethical rule violation and the above file will be closed.
