

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-209

Judge:

Complainant:

ORDER

May 18, 2023

The Complainant alleged improper rulings 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).

Commission member Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 18, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-209

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.

I am writing and submitting this complaint with the full and unfortunate knowledge that it may very well be rejected on the grounds and the principle due solely to the fact that I, as a tenant, appear to have very little or no rights in the courts of this county.

I filed a petition for protection on _____ as an individual because I felt I was in danger. I related several circumstances, which amounted to harassment and named the landlord as the perpetrator. Harassment being any unwanted behavior, physical or verbal (or even suggested), that makes a reasonable person feel uncomfortable, humiliated, or mentally distressed. Also a course of conduct which annoys, threatens, intimidates, alarms, or puts a person in fear of their safety.

I was informed on that occasion that a hearing would be convened on _____

I was told at that preliminary hearing that the landlord was doing things he shouldn't be doing, and I was hopeful that the courts could help me find a solution under civil law.

On _____ I attended the hearing.

I did not receive a remedy. I received a lecture and a scolding. The judge in the case concluded that my request was invalid, opining that there was no harassment, despite an attempt to evict which immediately followed my querying of a rent raise for which proper notice had not been given. In the judge's ruling the matter came under the heading and governance of landlord-tenant relations. When I asked about my options to petition to such an entity, I received no reply, presumably for the reason that there exists no commission or agency charged with addressing such issues, unless they be directly related to HUD or the Department of Justice. No government agency on a state or national level has such a department let alone a mandate.

My petition was denied.

I am submitting a complaint because:

- * A remedy was not given nor suggested, merely a tirade. A rant, which had little to do with my petition.
- * The judge appeared to lack any understanding of the law regarding harassment and could not respond to any request for definition, clarity or redirection.
- * The judge by the handling of this case denied me due process while at the same time relegated me to an imprecise status in relation to the law.
- * I was not allowed to present a witness, which is a clear violation of my constitutional rights.
- * The judge was biased and admitted so publicly - in the very courtroom.