

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-260

Judge:

Complainant:

ORDER

May 12, 2023

A superior court commissioner self-reported a delayed ruling in a juvenile 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 members Roger D. Barton and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 12, 2023.

Comp (Self-Report)

2022-260

HON.

TELEPHONE:

Hon.

Re: Judicial Certification for

Dear

With deep regret I must self-report a failure to submit a ruling within 60 days as required. The matter, _____ was submitted for decision on _____. The under-advisement ruling was due no later than _____ It was filed on _____

My negligence in the timely submission of the ruling was not due to any lapses in my Division's processes for tracking matters taken under-advisement. We maintain a robust system to track and process these matters. We have successfully ruled on matters in a timely and efficient manner for many years. The lapse was due to a heavy caseload amplified by a personal issue. Between _____ and _____ I presided over _____ hours of contested dependency and contested severance trials in addition to other matters such as dependency review hearings, permanency hearings, preliminary protective hearings, contested placement hearings, initial severance hearings, published severance hearings, initial guardianship hearings, trial reviews, detention hearings, delinquency dispositions, probation review hearings and placement review hearings in delinquency cases.

My long-time companion and partner was hospitalized in _____ He died unexpectedly in _____. To compound matters, his dog began having seizures a couple of days after he passed away, necessitating multiple trips to the veterinarian. It has been very difficult. While I am generally good at balancing my work obligations and my personal life, working in

an organized and efficient fashion, I simply was unable to complete this ruling in a timely manner given the situation as it unfolded.

I regret that this ruling was not filed in a timely fashion. I am acutely aware that this family, the parties, and counsel were waiting for it. I am embarrassed by this shortcoming.

I respectfully request that a finding of good and sufficient cause exists to suspend the application of A.R.S. §12-128.01 be made.

Thank you for your time and courtesy.

Sincerely,