

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-275

Judge:

Complainant:

ORDER

May 25, 2023

The Complainant alleged a city court judge improperly heard a traffic case after being informed of a conflict of interest.

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 Denise K. Aguilar did not participate in the consideration of this matter.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-275

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.

On _____ I had a court case for speeding where I was told a conflict of interest would need to be presented at court to the judge. Quick summary: I was driving above the speed limit to an emergency law enforcement call as I work for _____. On my way there, an _____ police officer pulled me over and issued me a citation for going over the speed limit. I explained to the police officer I was on my way to an emergency _____ call and was previously informed to rush to law enforcement emergency situations. The _____ police officer informed me I would need to speak about the situation at court.

At court I brought in records showing that I was on my way to an emergency scene with PD. When I informed Judge _____ of my records and concerns of a conflict of interest, he did not listen to my reasonings nor did look at the evidence I brought forth. I tried again to bring up my concerns of a conflict of interest again as I was told by both _____ PD and _____ PD that I needed to hurry to all emergency scenes. The judge once again failed to acknowledge my statements, and explained the law to me in a very condescending and simple form that I think most would understand.

My concerns are that Judge _____ does not present a fair chance to many citizens of _____ and Arizona as he presented himself in a similar way with all cases brought forth that day. The duty of a human judge is to use their discretion to look at the facts of all cases. On _____ I felt as though he put in minimal effort that disrespects the criminal justice system and all those who work for it.

Unfortunately, I was unable to get any of the information of witnesses present at that time as I was not aware of the possibility of a complaint for until now.

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