

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-380

Judge:

Complainant:

ORDER

A superior court commissioner self-reported delayed rulings in three separate family cases.

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.

After review, the Commission found that in three separate family cases, the judge issued delayed rulings. The judge's conduct violated Rules 1.1 and 2.5(A) of the Code of Judicial Conduct, along with Art. 2, §11, and Art. 6, § 21 of the Arizona Constitution. Respondent's conduct also violated A.R.S. §12-128.01, relating to payroll and certifications of compliance. The Scope Section of the Code provides that not every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the complaints pursuant to Commission Rules 16(b) and 23(a), but to issue a warning letter to the judicial officer reminding of the obligation to issue timely rulings.

Commission members Roger D. Barton, Barbara Brown, and Delia R. Neal did not participate in the consideration of this matter.

Dated: February 8, 2023

FOR THE COMMISSION

/s/ Christopher P. Staring
Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on February 8, 2023.

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

RE: Self-report of late ruling
Code of Judicial Conduct Rule 2.5(A)

I am writing to advise you that earlier this month I discovered three items that had not been resolved in a timely manner.

1. On Counsel for
Petitioner moved to withdraw from representation with consent. No objection
was filed and the order was ready to sign after
2. On lodged a
form of order after a hearing. No objection was filed and the order was ready for
review after
3. On filed
its Motion to Terminate Child Support. Proof of service was filed on
indicating service on No responsive pleadings were filed.
The motion was ready for consideration after

Enclosed are copies of relevant pleadings and orders in each of these cases.

For items 1 and 2, the orders have now been signed and processed. As to item 3, I have set a resolution management conference for

For reasons still unknown, these items were not timely presented for review or signature. It was not until a new Judicial Assistant began working in the Division that these issues were identified. No parties or counsel to these cases have inquired.

Commission on Judicial Conduct
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There is no credible excuse for the delay. We are doing a thorough file review to see if any other cases have pending requests that need to be addressed.

Thank you for your consideration of this matter and please accept my apology for having to take your time to address this oversight. If you need anything additional regarding these matters, please let me know.

Sincerely,

A small, handwritten signature in blue ink, appearing to be a stylized 'S' or 'J'.

encl.

cc: Hon.

Presiding Judge

Attorneys for Petitioner

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF

In re: the Matter of:

Case No.:

Petitioner,

ORDER GRANTING WITHDRAWAL
OF ATTORNEY FOR PETITIONER

v.

Respondent.

The Court having considered the *Motion to Withdraw with Client Consent*, and good cause appearing,

IT IS HEREBY ORDERED granting the Motion and permitting the withdrawal of

and the

as attorney of record for Petitioner,

DONE IN OPEN COURT this ____ day of _____,

HONORABLE
Judge of the

Superior Court

(X) PETR/ATTY

(X) RESP/ATTY

()
() Dispo Clk

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2
3
4
5 *Attorneys for Petitioner*

6 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

7 **IN AND FOR THE COUNTY OF**

8 In re: the Matter of:

Case No.:

9
10 Petitioner,

**MOTION TO WITHDRAW WITH
CLIENT CONSENT**

11 v.

(Assigned to the Hon.
)

12
13 Respondent.

14 Pursuant to Rule 9(d)(2)(B)(i) of the Arizona Rules of Family Law Procedure, the
15 and attorney, , herein move this Honorable Court
16 for leave to withdraw as attorney of record for Petitioner, This Motion is
17 made with Petitioner's consent, which is attached hereto and incorporated herein by
18 reference, and at Petitioner's request. Petitioner will be prepared to represent herself or to
19 employ other counsel for any future proceedings. Petitioner's current address and
20 telephone number are as follows: ;

21 Telephone:

22 A copy of this Notice has been mailed to Petitioner at the address above and to
23
24

1 Respondent's counsel as shown by the mailing certificate hereto.

2 WHEREFORE the _____ and attorney, _____ move this

3 Honorable Court for leave to withdraw as counsel for Petitioner,

4 RESPECTFULLY SUBMITTED this

5

6

7

By: _____ Esq.
Attorneys for Petitioner

8

9 Original of the foregoing e-filed
10 this _____ with:

11 Clerk of the Court
County Superior Court

12 Copy of the foregoing e-delivered
13 this _____ to:

14 Hon. _____
County Superior Court

15 Copy of the foregoing e-mailed and mailed
16 this _____

17

18

19 *Petitioner/Mother*

20

21

22 _____
23 *Attorneys for Respondent*

24 By: _____

**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.**