

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-008

Judge:

Complainant:

ORDER

July 21, 2023

The complainant alleged a justice of the peace pro tem issued an improper ruling regarding a boating citation.

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 July 21, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 008

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 received a ticket # _____ .F (Failure to Display my Registration Decal). On _____ I regisraured my boat online through _____ I printed out the receipt and _____ Day Temporary Registration form. Both were shown to the Deputy at the time he gave me the ticket. I explained that _____ was mailing the new Decal and that was the reason I didn't have the current decal. I only had last years Decal displayed on my boat hull with my AZ numbers.

The law reads; No person may operate a motorized watercraft on the waterways of this state unless the watercraft displays the assigned number and current annual decals or the person is in possession of a valid thirty-day temporary registration as prescribed by this article. _____ or _____ day Temp...same form.

I have spoken to _____ about this matter. She said I had full rights to be on the lake.

I could have fought this ticket in court but it's _____ miles to drive one way. Would have cost much more money to fight. I have sent, _____ times, all the proof of what I printed out and an explanation of why this ticket should be dismissed. My paperwork was reviewed by _____ and was turned down. Why? Maybe he thinks I would pay the ticket instead of fighting it? _____ reviewed mv paperwork from me and from _____ but he said either pay or fight the ticket. _____ sent what the law reads and that I was totally legal to use my boat.

I should have never been issued the ticket in the first place.

The fine was _____. I would like to have my money returned to me and the ticket dismissed.

Thank you,

2

MUST BE CARRIED ON WATERCRAFT WHEN IN USE
ARIZONA WATERCRAFT TEMPORARY CERTIFICATE OF NUMBER
*** NOT VALID ON INTERNATIONAL WATERS**

Transaction Date

Expires On

**TEMPORARY REGISTRATION
VALID FOR DAYS**

Watercraft No:

Authorization No:

Length:

Boat Type:

Engine Drive Type:

Prop Type:

Manufacturer's Name:

Year Built / Model Year:

Hull ID:

Hull Material:

Fuel:

User:

Owner Name:

Address:

City/State:

I hereby certify that I am the owner of the above described watercraft and all information on this document to be true under penalty of law.

Owner

Signature: _____

Order Number

Confirmation Number

[Exit](#)
(/Home/WatercraftDetails)

[Print](#)

#3 ATTACHED TO email + mailed

**Arizona Traffic Ticket and Complaint
COUNTY
SHERIFF'S OFFICE**

Complainant		Military		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial		DR Number	
Driver's License Number		State		Class		Endorsements		Print Officer Name and Badge No.	
Interpreter Required?		M		H		N		P	
<input type="checkbox"/> Spanish <input type="checkbox"/> Other Language		T		X		D			
DEFENDANT		First		Middle		Last			
Residential Address / Mailing				City		State		ZIP	
								Telephone (Cell Phone) <input type="checkbox"/>	
Sex	Weight	Height	Eye	Hair	Origin	H/N	Date of Birth	Restrictions	Email Address
Business Address				City		State		ZIP	
								Telephone	
VEHICLE		Color	Year	Make	Model	Style	License Plate	State	Expiration
Registered Owner				Address		Vehicle Identification Number (if registration not available)			

The undersigned certifies that:

ON	Month	Day	Year	Time	AM PM	SPEED	Approx	Proved	R&P	Speed Measurement Device	Direction of Travel
AT	Location				City			County	State	District	

the defendant committed the following:

A	Section	ARS Violation	Domestic Violence Case	<input type="checkbox"/>	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	VIOLATION 1			<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense	
B	Section	ARS Violation	Domestic Violence Case	<input type="checkbox"/>	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	VIOLATION 2			<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense	
C	Section	ARS Violation	Domestic Violence Case	<input type="checkbox"/>	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	VIOLATION 3			<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense	
D	Section	ARS Violation	Domestic Violence Case	<input type="checkbox"/>	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	VIOLATION 4			<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense	
E	Section	ARS Violation	Domestic Violence Case	<input type="checkbox"/>	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	VIOLATION 5			<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense	

You must appear at:	<input type="checkbox"/> Justice Court	<input type="checkbox"/> Justice Court	<input checked="" type="checkbox"/> Justice Court	<input type="checkbox"/> Justice Court
	<input type="checkbox"/> Municipal Court	<input type="checkbox"/> Municipal Court	<input type="checkbox"/> Municipal Court	<input type="checkbox"/> Municipal Court

at the date and time indicated

Month	Day	Year	Time	AM PM
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JUVENILE: <input type="checkbox"/> Parent or legal guardian must accompany a person under 18 years of age to court.	VICTIM? <input type="checkbox"/>	VICTIM NOTIFIED? <input type="checkbox"/>
CRIMINAL: <input checked="" type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	TEN-PRINT FINGERPRINT YES: <input type="checkbox"/> NO: <input type="checkbox"/>	
CIVIL: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.	
X	Complainant	Date

NOTICE TO DEFENDANT:
THIS IS A TRUE COPY OF THE COMPLAINT WHICH WILL BE FILED IN COURT.
YOU ARE ADVISED TO READ THE INSTRUCTIONS ON THE REVERSE.
IF YOU APPEAR IN COURT, PLEASE BRING THIS COPY WITH YOU.

VIOLATOR/DEFENDANT COPY

WATER VIOLATION BOND SCHEDULE

A.R.S. CODE	DESCRIPTION	BOND AMT	A.R.S. CODE	DESCRIPTION	BOND AMT
5-321A	Watercraft registration violation	\$215.00	5-345D	Failure to follow traffic pattern	\$230.00
5-321E	Certificate of number not on board	\$165.00	5-345F	Failure to use due caution to avoid accident	\$230.00
5-322A	Watercraft numbering requirement	\$225.00	5-346A	Skiing without an observer	\$225.00
5-322C	Watercraft numbering non-resident	\$225.00	5-346B	Hazardous operation with skier	\$225.00
5-321F	Fail to Display Registration	\$215.00	5-346C	Fail to flag when skier down	\$190.00
5-322E	Watercraft numbering resident	\$225.00	5-346D	Skiing between sunset and sunrise	\$225.00
5-331A	Personal floatation device (One PFD Short) Add \$25.00 for each additional PFD short	\$165.00	5-347A	Interference with navigation, swimming or anchoring in channel or launch area	\$200.00
5-331B	Skiing without PFD	\$190.00	5-347B	Camping, parking, or restricting a launch ramp	\$200.00
5-331C	Child (12 yrs or under) no PFD	\$190.00	5-348	Littering or dumping on waterway or shoreline	\$250.00
5-332A	No fire extinguisher	\$200.00	5-349A1*	Watercraft accident: Failure to stop/return	Must Appear
5-333B	No lights/no anchor light	\$215.00	5-349A2*	Watercraft accident: Fail to render assistance	Must Appear
5-334	No backfire flame arrester or velocity stack	\$215.00	5-349A3*	Watercraft accident: Fail to remain at scene	Must Appear
5-335A	Engine fuel ventilation requirement	\$180.00	5-349B*	Failure to exchange info after an accident with property damage only	Must Appear
5-336A	Engine muffling requirement	\$225.00	5-350A	No PFD on personal watercraft	\$185.00
5-341A**	Careless, reckless or negligent operation	Must Appear	5-350B	Personal watercraft lanyard not attached to body, clothing, PFD.	\$185.00
5-341B**	Bow riding w/o handrail, transom riding, or negligent operation	Must Appear	5-350C**	Reckless operation of Personal Watercraft	Must Appear
5-341C**	Bow riding obstructing operators view	Must Appear	5-350D	Engine cutoff violation	\$200.00
5-341D**	Careless, reckless, or negligent skiing	Must Appear	5-350E	Watercraft cargo violation	\$225.00
5-341E	Underage operator without adult on board	\$225.00	5-350F	Allowing another to operate in violation of section	\$225.00
5-341F	Owner allows underage person to operate	\$225.00	5-371A	Failure to keep record of any person hiring a watercraft by owner of boat livery	\$230.00
5-343	Speeding/Excessive wake	\$225.00	5-371B	Failure to ensure proper equipment on rental boats	\$230.00
5-344A	Overloaded boat	\$225.00	5-391H1**	Possess fictitious/altered watercraft decal	Must Appear
5-344B	No manufacturing load capacity plate	\$225.00	5-391H2**	Use decal on another watercraft	Must Appear
5-345A	Failure to yield right of way to unpowered boat	\$230.00	5-395A	DUI Watercraft	Must Appear
5-345B	Failure to yield to boat in danger zone	\$230.00	5-30.060E	Watercraft Consumer Advisory	\$25.00
5-345C	Overtaking and head-on situation	\$230.00	8.08.070	Fueling within 50 feet of river	Must Appear

** = Class 2 Misdemeanor, Mandatory Appearance before the Judge

* = Class 3 Misdemeanor, Mandatory Appearance before the Judge

**** MUST APPEAR VIOLATIONS If you fail to appear: A warrant will be issued, you will have an additional charge of "failure to appear", and the amount due will be referred to a collection agency where interception of your State Income Tax refund will occur, if applicable. ****

From:
Sent:
To:
Subject:

Good Morning

In response to your email, the Court did receive your citation. Your citation and the email and documentation that you sent on _____ is currently with the Judge for review. I will contact you as soon as I have a response from the Judge.

Thank you,

Subject: FW: VIOLATION ARS-5-321.F

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Subject: FW: VIOLATION ARS-5-321.F

**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.**