

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-023

Judge:

Complainant:

ORDER

July 21, 2023

The complainant alleged a justice court hearing officer failed to accommodate a disability when scheduling a small claims hearing.

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).

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 - 023

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.

Denied right to in person hearing without filing a motion. I am _____ and I reside _____ hours away from the court house but I was told my only option for a hearing was telephonic or zoom hearing neither of which are conducive for a _____ person which is why I requested in person CART services. When I phone the courthouse two days I was told nothing could be done with out filing a motion. The court basically said all hearings are done telephonic and zoom meeting due to Covid 19 and there are no exception, this was explained from their customer service line.

I simply only want accomadations so that I can participate in the hearing like everyone else in the hearing. The court has been made aware that I am hearing impaired on several instances. Please see attached motions filed and emails between interpreter coordinator and I.

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Inbox

messages, unread

● **Priceline**

Save the Date:

Your VIP status gets you exclusive travel deals this Black Friday.

● **Del Taco**

Did you really need a rzn for Cheezin' Szn?

96* *(box-sizing:border-box)body{margin:0;padding:0}a[x-apple-

● **Chipotle Mexican Grill**

New feature unlocked 🗝️

Chipotle Mexican Grill Get 2x points when you try it out‌ ‌ ‌ ‌

● **The Family Freezer**

Class Replay and Freebie

<https://thefamilyfreezer.lt.aceminc.com/Prod/>

● **Target**

Come back & check out 🗝️

=====
===== TARGET

RE: Confirmation of CART interpreter

I have been advised that you need to file a formal request online.

(No Subject)

This message has no text content.

(No Subject)

This message has no text content.

(No Subject)

RE: Confirmation of CART interpreter

From:

Subject: RE: Confirmation of CART interpreter

Date:

To:

I have been advised that you need to file a formal request online. Please file a formal request via a motion website. Please fill it out online and submit it so the judge can review it. If you have any further questions please call customer service to let you know about the evidence you want to present. And if I can help you in any other way, please email me or call me.

From:

Sent:

To:

Subject: Re: Confirmation of CART interpreter

I received in the mail today that a letter that states that the hearing will be by zoom meeting which seems to be a very unfair advantage requested that the hearing be in person due to my hearing disability. I speak english fluently, I AM and I wear hearing aids. The way I have been communicating with your court call center through phone is with a third party that types what the receiver on the phone says. Therefore a zoom meeting would not be appropriate for the following reasons:

How will I present my case? What about the paperwork, pictures and receipts I have as evidence to prove my case? These are all handwritten notes.

On

wrote:

PLAINTIFF:	CASE NO.	DEFENDANT:
CIVIL CASE NOTICE		

DISCLOSURE STATEMENTS: An answer has been filed in the above referenced case. The Disclosure Statement required by Rule 121 of the Justice Court Rules of Civil Procedure (JCRCP) must be exchanged among all parties in accordance with the time requirement of that rule. Please bring a copy of the Disclosure Statement and Notice of Service to all court appearances. The duty to disclose is a continuing duty requiring each party to make additional or amended disclosures whenever new or different information is discovered or revealed. Failure to comply with these rules may result in sanctions or penalties being entered against you. A Disclosure Statement form and Notice of Service of Disclosure Statement form are enclosed for your use.

TRIAL: When the case is ready for trial, a Motion to set and certificate of readiness must be filed pursuant to Rule 133 JCRCP and must be accompanied with the appropriate filing fee (Refer to fee schedule). All motions filed with the Pima County Consolidated Justice Court not accompanied with stamped envelopes, addressed to each party by Arizona Rules of Civil Procedure, Rule 5(j)(2)(A)(B), shall be rejected by the Court. A form of Motion is enclosed with this order. If a Motion to set and certificate of readiness is not filed within months after the commencement of the case, the case shall be placed on the inactive calendar. A case remaining on the inactive calendar for months shall be dismissed without prejudice for lack of prosecution.

PRETRIAL CONFERENCES may be held when requested in writing by one or more parties or ordered by the Court. This Court believes in the value of settlement and encourages all parties to try to settle the case prior to trial.

TRIAL CONTINUANCES must be submitted in writing to the Court at least 20 days prior to the trial date with the appropriate filing fee (Refer to fee schedule).

TRIAL TIME allowed is () minutes unless an appropriate demand for enlargement of time has been made and granted. Parties must be ready to go to trial on the trial date.

JURY TRIAL: A Judge will administer a ruling on the case unless an appropriate demand for jury trial has been made and granted.

CANCELLATIONS OF TRIALS: If the matter is settled, immediately notify the Court in writing. Contact the Courts Customer Service Department at and file the proper papers to close the case.

Date:

Mailboxes



RE: Confirmation of CART interpreter

Inbox

messages, unread

● The Family Freezer

Class Replay and Freebie

<https://thefamilyfreezer.it.aceminc.com/Prod/>

● Target

Come back & check out

===== TARGET

RE: Confirmation of CART interpreter
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This message has no text content.

(No Subject)
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(No Subject)
This message has no text content.

RE: Confirmation of CART interpreter
Good morning I have emailed the appropriate department so they

● Microsoft Bing

Trending news: Indicted by grand jury, Plac...
You can't view this email because HTML is disabled for your email client. Please enable

● The Home Depot

Found It! We think you might like this

Good morning
communicate with you. Thank you

I have emailed the appropriate department so they can help us with your request. As soon a

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Or,

wrote:

Hello
wonderful rest of your day.

I just wanted to let you know that a CART interpreter has been secured for the hearing. Thank you v

Respectfully

**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.**