

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-036

Judge:

Complainant:

ORDER

December 26, 2023

The Complainant alleged biased and improper legal rulings by a justice of the peace hearing eviction 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.

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 December 26, 2023.

2023 - 036

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.

I have lived in the community serviced by _____ for over _____ years. I have witnessed his biased handling of eviction cases that never afforded justice of defendants. _____ has been an instrumental part of the growth in the homeless population with his unfair and unwarranted rulings.

In the eviction action _____ I filed an answer to the complaint alleged against us. The case was served improperly and the time for filing and serving an answer was improper. The attorney who appeared claimed no knowledge of my answer, therefore, _____ ordered to strike my answer. I paid _____ and deserved to have my answer heard in court either on the date of the hearing or after such time I was given time, allowed by law, to serve the other party.

The ruling entered by _____ makes no legal sense. We were found not guilty of special forcible detainer, but a judgment for an amount not claimed in the complaint was entered against us. The consequences of this misconduct is the reason we cannot qualify for any rental anywhere. We never owed the amount claimed. The landlord failed to collect the certified mail containing the monthly rent. The landlord was always served the rental payment by certified funds and by certified mail. The landlord failed to prove his claim and the entire case should have been ruled in our favor completely.

The failure of _____ to rule on this matter that makes legal sense, disqualifies this case from being eligible for automatic sealing of the file from public view. The case results are being circulated by the landlord and tenant screening companies as an eviction. The rental relationship continued until _____. The landlord terminated the agreement by choice.

In the eviction case _____ the landlord filed a complaint after termination of the rental agreement. The details of the case are not known to us because we were not properly served. We were no longer living at the residence and should not have been entered upon the record.

_____ is a disservice to the community and should be reprimanded for his conduct in favor of attorneys. He is not capable of making sound judgment in eviction action against renters. I expect that the commission will have these cases reviewed and ordered sealed so that we can qualify for rental housing again. These cases are eligible to be sealed under current Arizona statutes on eviction cases.