

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-064

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Judge:

Complainant:

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**ORDER**

September 1, 2023

The complainant alleged a superior court judge made improper legal rulings in a criminal case.

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 Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 1, 2023.

b. Case name and number

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**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.

*See attached pg.*

# Issues

I. Honorable Judge acted unfairly where she failed to adequately consider claims of misconduct against defense counsel raised by the defendant ( ) in a motion to change counsel addressed to Judge . In violation of rule 2.2 Impartiality and fairness.

II. Honorable Judge received information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct but, failed to take appropriate action.

In the following complaint I ( \_\_\_\_\_ )  
hereby allege judicial misconduct in violation  
of Arizona Code of Judicial Conduct Rules:

Rule 1.1. Compliance with law

Rule 2.2. Impartiality and Fairness

Rule 2.15. Responding to Judicial and  
Lawyer misconduct

Honorable Judge \_\_\_\_\_ violates rule  
1.1. where she committed misconduct by violating  
Arizona Code of Judicial Conduct rules 2.2, and 2.15.  
(see the heading of each of these rules for more detail.)

(I.) Honorable Judge \_\_\_\_\_ violates rule  
2.2. requiring "A Judge shall uphold and, apply  
the law and shall perform all duties of judicial  
office fairly and impartially.

Here I allege that the judge acted un-  
fairly where on: \_\_\_\_\_ I filed a motion  
change counsel. (See attached.)

In the pleading I argued the right to  
effective counsel according to the 6th Amendment

of the United States Constitution, violation of rules of professional conduct rule 42, and violation of the Strickland Standard.

In the motion I raised concerns about violations of ARPC by my attorney( ) where I alleged the following.

• Violations of rule ER 1.3 Diligence:

A lawyer shall act with reasonable diligence and promptness in representing a client.

• Violations of rule ER 1.4 Communication:

(section 3.) Keep the client informed about the status of matter.

• Violation of rule ER 1.4 Communication:

~~(section 4.)~~ Promptly comply with reasonable request for information.

• Violation of rule ER 1.4 Communication:

(section (5)(6).) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

• Violation of rule ER 1.4 Communication:

(section 2.) Reasonably consult with the client about the means by which the clients objectives are to be accomplished.

**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.**