

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-076

Judge:

Complainant:

ORDER

September 8, 2023

The complainant alleged a superior court commissioner issued improper legal rulings in a civil 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 members Roger D. Barton and Joseph C. Kreamer did not participate in the consideration of this matter.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 076

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.

JUDGE	COMPLIANT****
Dear Arizona Commission on Judicial Conduct,	
I am writing to file a formal complaint against Judge _____ and Commissioner _____ as well as their judicial staff, for their biased and prejudiced conduct during my recent court case. I strongly believe that their actions have undermined the integrity of the Arizona Civil Justice System and resulted in a grave miscarriage of justice.	
From the outset of my case, it was evident that Judge _____ was unprepared and ill-equipped to conduct proceedings fairly and impartially. During the hearing on _____ Judge _____ was on a video conference and appeared to be incoherent and disoriented. He stated that he was experiencing _____ and was seen walking around during open arguments, which leads me to believe he may have been under the influence of pain medication. His behavior was unacceptable and not conducive to a fair and just hearing.	
Moreover, Judge _____ conduct throughout the proceedings was unsympathetic and discourteous. I have lost faith in the Arizona Civil Justice System due to the unfair treatment that I received at the hands of Judge _____ and his staff. Judge _____ has demonstrated a clear bias against me and discriminated against me before I even had a hearing scheduled. He gave the defendants two-and-a-half-month grace period of being in default and ignored my request for him to follow the Arizona Rules of Civil Procedure. Instead, he scheduled a deadline for the defendants only around a medical procedure that he planned to take time off for _____ which caused a further delay in seeking justice.	
To make matters worse, Judge _____ and his staff juggled my case around other judges, often leading me to believe that I was scheduled to have a hearing when in reality, it was then scheduled for Judge _____ once he returned from _____. This caused significant confusion and frustration on my part and further undermined my confidence in the judicial system.	
In summary, Judge _____ conduct has been unacceptable and unbecoming of a judge. I urge the Arizona Commission on Judicial Conduct to investigate this matter thoroughly and take appropriate action to ensure that justice is served in my case and in all future cases before these judges. Thank you for your attention to this matter.	
Sincerely,	

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*****Complainant For _____ and her assistant*****To the Arizona Commission on Judicial Conduct:
I am writing to file a complaint against Judge _____ and Commissioner _____, as well as their judicial staff, for their biased and prejudiced conduct during my recent court case. Specifically, I am appealing the decision made by the lower court in the hearing on enforcement of the order for return of my vehicle, which was denied by the court despite clear evidence in my favor. Sergeant _____ of the _____ provided me with body camera footage that shows the defendant, _____, admitting to repairing and blending my bumper. Despite this evidence, Judge _____ has still sided with the defendants. Throughout the proceedings, Judge _____ did not follow the rules of Arizona civil procedure and showed partiality towards the defendants, _____ and _____ to the detriment of my case. Furthermore, he allowed the defendants a two-month window of default, during which time his staff purposefully placed an unknown address on the handed off case to the commissioner who handles default cases, in order to give her a biased reasoning on why the defendants did not respond. Only after I caught this and filed a motion, did they correct this error, which had already set a prejudice approach from the commissioner and her staff, who were extremely rude and even threatened to call the police/security on me for asking them questions about my case. I believe that Judge _____ has shown extreme racial discrimination against me and is upset that the defendants, whom he favored, had to give me back my vehicle. The defendants have caught wind of the bias that Judge _____ has had against me, and they have been emboldened to not fully comply with the order that he issued on _____, which ordered them to release my vehicle and all of my parts. In light of these circumstances, I am requesting that the Arizona Commission on Judicial Conduct investigate Judge _____ and Commissioner _____ as well as their judicial staff, for their biased and prejudiced conduct during my case. I also request that this Commission take appropriate action to ensure that justice is served in my case and in all future cases before these judges. Thank you for your attention to this matter.
Sincerely,