

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-096

Judge:

Complainant:

ORDER

September 1, 2023

The complainant alleged improper legal rulings by a justice of the peace hearing an eviction 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.

2023-096

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 had an eviction court date. I disputed owing them because they breached our agreement and violated me after I filed a civil rights complaint against staff for discriminating and making false reports it's unlawful and is prohibited by Arizona State laws to force or threaten a tenant out of their apartment. In [] they tried to illegally evict me. judge looks at the paper and says that's not what it means I just need to understand the language. it says on there I have [] days to get out the apartment and to turn my keys into office, they never gave me a court date. retaliation is prohibitively and independently they're liable two months right And I get to stay in the rental she ignored my legal my legal valid point and use my evidence tell me they didn't have to follow through on eviction notices, but they cannot just put them up there to scare you. she was rude She asked my witness that was with me did they understand they asked her were they able to speak? She said no then they replied then I don't understand. The judge then said oh so you both don't get it. she never came in trying to sort anything from the beginning. She came in and says she was confused Didn't know why we were here but she's the one that was on eviction court and scheduled it for [] days later. prior to me being in this eviction court, I went down to [] court to get an injunction against harassment from tenant who stalks and harasses me and reports to [] from office. I had been sworn in and was waiting in the court for the judge to grant me the injunction and the court clerk came out and told me the judge said no because I needed to know tenant name. I feel like she's really biased because she's known about me my apartment and the landlord issues before my court day. Interacts with the plaintiff and their attorney every month at the least. Also why did I have such short notices on everything if I was even notified properly also explain why these dates don't add up on these notices and why was the judge able to dismiss my defense and proof that the plaintiff had breached contract against me and why I had not paid rent in [] they tried to unlawfully evict me in [] as retaliation for me exercising my rights. landlords are prohibited from harassing or retaliating against tenants who exercise their rights by: Filing an official complaint to a Government Authority. she asked me " [] " I told her it was in The Landlord Tenant Act .upon her entry into the court room it appeared as if her mind was made up before we even began the proceedings they already knew what the outcome was no matter my defense or my evidence. Then she told me that she told me on the phone court that she told me I would have to pay the fee. She can remember that part of my court session on the phone [] but at the beginning of proceedings she stated she didn't know whv we were here and how it even was moved to trial. The judgement was granted for me to be evicted on [] Writ was scheduled for the [] All summons and notifications were improperly dated and timed for me to barely be able to do anything that could help myself in time.