

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-099

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Judge:

Complainant:

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**ORDER**

March 21, 2024

The Complainant alleged a justice of the peace improperly performed wedding ceremonies.

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).

Commission member Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 21, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

23-099

**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.

On \_\_\_\_\_ Justice of the Peace Judge \_\_\_\_\_ performed a wedding ceremony in violation of \_\_\_\_\_ County Ordinance \_\_\_\_\_.

On \_\_\_\_\_ Justice of the Peace Judge \_\_\_\_\_ Performed two wedding ceremonies in violation of Pima County Ordinance \_\_\_\_\_.

Factual background.

On \_\_\_\_\_ The \_\_\_\_\_ County Board of Supervisors established Ordinance \_\_\_\_\_ as a cost recovery fee for wedding ceremonies conducted inside a Justice Court facility, See attached ordinance. The ordinance set forth the requirements when conducting wedding ceremonies inside the Courthouse and specifically limited the amount to be charged to the wedding couple, \_\_\_\_\_ of which \_\_\_\_\_ was to be transferred to the \_\_\_\_\_ County General fund as a cost recovery for the use of the facility.

On \_\_\_\_\_ Judge \_\_\_\_\_ performed a wedding ceremony inside the \_\_\_\_\_ County Justice Court facility, \_\_\_\_\_ at approximately \_\_\_\_\_. Judge \_\_\_\_\_ charged the wedding couple approximately \_\_\_\_\_ which was paid with a credit card. This amount far exceeds the required maximum of \_\_\_\_\_ and Judge \_\_\_\_\_ failed to remit payment to \_\_\_\_\_ County for the use of the facility as required by the ordinance.

On \_\_\_\_\_ Judge \_\_\_\_\_ performed two wedding ceremonies inside the \_\_\_\_\_ County Justice Court facility, \_\_\_\_\_, at approximately \_\_\_\_\_. Judge \_\_\_\_\_ charged the wedding couples approximately \_\_\_\_\_ which was paid with a credit card. This amount far exceeds the required maximum of \_\_\_\_\_ and Judge \_\_\_\_\_ failed to remit payment to \_\_\_\_\_ County for the use of the facility as required by the ordinance.

Prior to submitting this complaint I verified with the \_\_\_\_\_ County Attorney that any after-hours weddings performed inside the \_\_\_\_\_ County Justice Court Facility would require adherence to the ordinance and they said yes, specifically the ordinance refers to a facility. The purpose of the ordinance was to capture fees to reimburse the County for any expenses involved in after-hours weddings such as lighting, air-conditioning, security etc. To be outside of the ordinance the wedding would have to be "off campus".

\_\_\_\_\_ County Ordinance \_\_\_\_\_ does not list a specific penalty for violating the ordinance which then reverts to \_\_\_\_\_ County Code \_\_\_\_\_ which states,

"Every offense in this code for which no penalty is prescribed shall be a Class 3 misdemeanor, as defined by the Arizona Revised Statutes, and shall carry the penalty provided therein. Each act of violation and every day upon which such violation occurs shall constitute a separate offense.  
(Ord. \_\_\_\_\_)."

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**2023 - 099**

**COMPLAINT AGAINST A JUDGE**

Name:

Judge's Name:

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I have included a USB drive that provides video footage of the wedding conducted on \_\_\_\_\_ inside the \_\_\_\_\_ County Justice Facility Lobby. I have not included the video footage for the weddings conducted on \_\_\_\_\_ inside the lobby but that video footage has been archived and is available from the custodian of records for video footage at \_\_\_\_\_ County Justice Court.

Based upon the above factual information I beleive Justice of the Peace \_\_\_\_\_ has violated \_\_\_\_\_ County Ordinance \_\_\_\_\_ and has committed three seperate acts which each act constitutes a Class 3 Misdemeanor.

, RECORDER

RECORDER

SEQUENCE:  
NO. PAGES:

ORDINANCE NO.

COUNTY ORDINANCE NO.                      RECORDED IN  
SEQUENCE NO.                      , PAGE NO.                      IS HEREBY BEING  
RE-RECORDED DUE TO A SCRIVENER'S ERROR IN

Recorded By: \_\_\_\_\_, RECOR

RECORDER

SEQUENCE:  
NO. PAGES:

PICKUP

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DOCUMENT TITLE:

**ORDINANCE NO.**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF COUNTY, ARIZONA, RELATING TO COST RECOVERY IN THE COUNTY JUSTICE COURT, AMENDING ORDINANCE NO. AS PREVIOUSLY AMENDED BY ORDINANCE NOS. AND BY ESTABLISHING AN ADMINISTRATIVE COST-RECOVERY FEE FOR ADMINISTRATIVE COSTS ASSOCIATED WITH MARRIAGE CEREMONIES.**

**The Board of Supervisors of County, Arizona, finds that:**

1. The County Board of Supervisors is authorized by to adopt fee schedules to defray the cost of products and services provided to the public by County.
2. The County Board of Supervisors adopted a cost-recovery fee schedule for the County Justice Court in Ordinance No. and has subsequently amended that fee schedule in Ordinance Nos. and
3. Justices of the Peace have authority to perform marriage ceremonies under A.R.S. Justices of the Peace typically collect a standard marriage-ceremony fee for their time and conduct ceremonies outside normal court hours. County currently does not collect any fee associated with these ceremonies, even though there are administrative costs incurred by County associated with these ceremonies, including staff time associated with scheduling and administration of the ceremonies and overhead expenses associated with the use of Justice Court facilities.
4. It is in the best interest of the County to amend Ordinance No. as previously amended, to provide for a Marriage Ceremony Fee to help defray the costs of providing services associated with marriage ceremonies performed at Justice Court facilities or using Justice Court resources.

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF COUNTY, ARIZONA:**

**Section 1.** County Ordinance No. as previously amended by Ordinance Nos. and is amended as follows:

Section 1. The following fees are hereby established:

**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.**