

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-135

Judge:

Complainants:

ORDER

November 9, 2023

The Complainants alleged a municipal court judge was rude in a Zoom hearing.

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 Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 9, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 135

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 _____ and I had a zoom hearing with Judge _____ being the judge. This judge was very upset and furious with us when we started the meeting and our camera on our laptop was shaking. He used very improper demeanor. He had us shut down our laptop and bring it back up with his patience being very slim. The camera once again starting shaking, so he directed us once again to shut it off and bring up the laptop again, we were then directed by an assistance to click on something on the laptop and corrected the issue. My opinion things will happen, not everything is correctly mastered. The third time we were asked to bring up the laptop there was at least _____ minutes delay before we were able to continue our meeting, the connection time was _____ minutes and during the time _____ and I feel the plaintiff was being coached and told what to say. We feel the judge was very biased toward the plaintiff. This hearing pertained to order of protections. We were able to send in documentation before this zoom date and time and we submitted _____ emails which I do not think the judge reviewed but he did state _____ (pictures were attached to one email)

When the zoom meeting started I, _____ had a pen in my hand writing notes to review, the judge stated that I was coaching _____ which I wasn't, only taking notes for later use.

Going into a zoom meeting, or any meeting for that fact, is a frightening experience for all involved, and his demeanor was very improper. Judges make rulings on the law, rulings that the people must believe came from competent, lawful and independent judicial officers. Implementing a meaningful way for the public to be protected from judicial misconduct is vital there has to be a review. We feel that this zoom meeting was improperly conducted. To quote former United States President Theordore Roosevelt "No man is above the law and no man is below it: nor do we ask any man's permission when we ask him to obey it. Obedience to the law is demanded as a right, not asked as a favor. The judges who administer justice in our countries must be seen as ethical and subject to meaningful correction when it is necessary Nothing less than the rule of law is at stake.

After the zoom meeting was completed, we received emails that stated the order of protection was for _____ years, with no expiration date on the form that was emailed to us. We think the order of protection system could be a lot more explanatory and we feel that we were so unprepared and Judge _____ could have been more helpful instead of having a demeanor of rudeness and directness.

In closing, this zoom meeting we feel was one sided and was very biased especially during the time of the _____ minutes of reentering the zoom meeting by the judge. I, _____, have spoken with _____ Court Administrator at _____ and reported this conduct and she stated she would take care of this matter with a followup email, which I have not received.

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COMPLAINT AGAINST A JUDGE

Name:

Judge's Name:

Honorable

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