

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-349

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Judge:

Complainant:

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**ORDER**

February 12, 2024

The Complainant alleged a superior court judge berated and ridiculed an attorney 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 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 February 12, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2023-349

**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.

[Please note the I ordered the transcript on an expedited basis, and the transcript will confirm that which I set forth below. There may be minor nuanced differences because I am reciting that which took place from memory rather than a transcript. However, the gist of the matter is absolutely correct.]

At an evidentiary hearing on \_\_\_\_\_, Commissioner \_\_\_\_\_ engaged in conduct in violation of the Canons of Judicial Conduct that govern his behavior. He expressly told me in open court and on the record that he was tired of my "\_\_\_\_\_". I had not engaged in any \_\_\_\_\_ whatsoever. I politely reiterated his intemperate comment back to him because I had never heard such a needless and gratuitously nasty comment from a judge or commissioner. In response, \_\_\_\_\_ lied and told me that the "\_\_\_\_\_" to which he was referring was the \_\_\_\_\_ manner of filing court documents that had been employed by my co-counsel and me. He berated me for filing a motion with AZTurboCourt. He stated on the record that I had used the wrong means of filing the motion and expressed his anger regarding the same. Bewildered by such an incorrect and false statement by \_\_\_\_\_, I politely asked him how I should file motions in the case, if not through AZTurboCourt. He refused to answer my polite question and instead continued his intemperate nasty invective and behavior where and continued to be angry because the motion was filed with AZTurboCourt. He ridiculed me. Of course, licensed in Arizona since \_\_\_\_\_, I familiar with the means of electronic filing in the courts including but not limited to the civil court, the criminal court, the family law court and the appellate courts. The matter before \_\_\_\_\_ was a civil court matter as reference above.

After the conclusion of the hearing, I was wondering why anyone, including and especially someone who has been a court commissioner in \_\_\_\_\_ County since \_\_\_\_\_ (\_\_\_\_\_ years), could have made such a ignorant, foolish, false and nasty statements in open court and on the record. Consequently, I reviewed \_\_\_\_\_ background on the court's website. Based upon my review of his record, it appears that as a commissioner, he has little to no experience in civil matters, working instead in the areas of \_\_\_\_\_ and \_\_\_\_\_. Therefore, his intemperate and false statement (i.e., that we had incorrectly filed the motion and that our conduct in doing so was "\_\_\_\_\_") was due to the commissioner's ignorance of the law, ignorance of court procedure and ignorance of the court rules, incompetence, nasty disposition, and unfortunately, his stupidity. In addition to violating the Canons of Judicial Conduct, \_\_\_\_\_ violated the age old axiom, think before you speak.

Even if \_\_\_\_\_ were correct as to the filing method, which he was not, it would have been inappropriate to berate a lawyer in open court for making such an innocent and benign error; however, \_\_\_\_\_ was not correct. \_\_\_\_\_ was dead wrong. Ironically and factually, if there were any \_\_\_\_\_ emanating from anyone speaking in the courtroom, it was the \_\_\_\_\_ own inane statements that were complete, utter and total \_\_\_\_\_ in addition to being intemperate and illustrative of his ignorance of the filing systems of the court in which he has labored as a commissioner for \_\_\_\_\_ years. Furthermore, \_\_\_\_\_ is an embarrassment to the State of Arizona in general and its judicial system in particular. Given the foregoing, I had no choice but to file this complaint.