

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-351

Judge:

Complainant:

ORDER

March 21, 2024

The Complainant alleged a justice of the peace was rude to a litigant at the front counter for an appeal of a protective order.

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

2023-351

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.

By way of background, my name is [] I live in [] and I am [] years old. I have a [] no arrests, [] speeding tickets in [] no addictions, and am a former []

On approximately [] I went to the Justice Court in [] to file an appeal to a Protective Order issued on [] by my spouse. At that time, I inquired of the clerk the procedure for filing a counterclaim due to her fondness of opioids and her behavior. The clerk, (unknown name, male) provided me with the necessary paperwork. I took the paperwork home and completed it. On or about [] returned to the court with the intent to file the complaint. A very courteous and professional clerk told me that she would ask if [] could hear the matter then as he was ending another matter. He happened to be entering the office where the clerk sat. He looked at the paperwork and started screaming at me that I had no business bringing that complaint into his court. I was sitting in the lobby on the other side of the glass partition maintaining my composure and not trying to set my defibrillator off as I could feel my pacemaker kick in. I then calmly asked, "[]" then leaned forward and grabbed his badge hanging around his neck, held it up and screamed "[]"

"! " [] He then stormed off somewhere. The staff (clerk and supervisor) were in shock and embarrassed at the same time. They immediately went into action for the purpose of finding a judge, which they did in [] who would talk to me. Thanked the staff and quietly left the building. I have been in [] Court numerous times, and [] courts to many times to count. I know how a Judge comports his or her behavior and their demeanor in the courtroom and on the premise. I can assure you that [] is not a Judge, which is why I have not been referring to him as Judge [] His lack of partiality was apparent, so I returned to the court on or about [] to withdraw my appeal. At that time, the same clerk ([] was there and I asked her if [] had ever acted like that before. Her demeanor was that of a person afraid to answer so I changed the subject and she did the business at hand. I then thanked her for the professional manner in which she conducted herself on the previous [] and left the building. In the [] years of being around courthouses, never have I encountered such behavior exhibited by [] Fortunately there were witnesses who can corroborate my statement of the facts. I worry about the intimidation factor which probably exists in that environment. I still desire to appeal the matter but I would obviously need another independent trier of fact.

Thank you for your consideration of this matter!

Kind regards,