

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-408

Judge:

Complainant:

ORDER

March 29, 2024

The Complainant alleged a superior court commissioner did not enter a ruling on the record and did not investigate attorney misconduct.

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).

Copies of this order were distributed to all appropriate persons on March 29, 2024.

2023-408

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.

The Arizona Code Of Judicial Misconduct states ,
Rule 2.5 - Competence, Diligence, and Cooperation (A) A judge shall perform judicial and administrative duties competently, diligently, and promptly. (B) A judge shall reasonably cooperate with other judges and court officials in the administration of court business.

1. On _____ filed a motion with _____ County _____ Court titled-
MOTION TO REQUEST COURT APPEARANCE IN PERSON NOT TELEPHONICALLY.
2. The Commissioner _____ denied the Motion titled- MOTION TO REQUEST COURT APPEARANCE IN PERSON NOT TELEPHONICALLY , but did not file her response with the Court.
3. The Commissioner _____ denied the Motion and responded directly through email communication, and not in a Court legal document protocol. The Commissioner did not file her response with the Clerk of the Court. There isn't any record of the reponse with the Court or minute entry. Her response can not be found on the following ,
 - A.ECR,
 - B.Civil Court Case _____ information
 - C.Clerk Of Superior Court, Court Minute Entries
 - D.Electroic Index Of Court Record
4. The Commissioner _____ emailed her response to the Motion and did not file it with the Court as required
5. The Commissioner also mentioned in the Court Hearing on _____ , that she emailed the reponse to the motion.
6. A copy of the email with Commissioner _____ denying the motion through email.
(Please See Attachment A)
7. A copy of the court transcript on _____ with Commissioner _____ admitting that she emailed her response to the motion , to _____
(Please See Attachment B)

COMPLAINT AGAINST A JUDGE

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8. _____ has addressed the concerns with the Court in two separate Motions, but the Court has not responded to the _____ actions.

9. It is Judicial Misconduct for a Commissioner to respond to a Motion through email . The Commissioner is suppose to file all responses with the Clerk of The Court , so there a record of her responses.

10. The Commisioner _____ did not mail her response to the Motion through traditional mail ,to _____ . The Commissioner _____ did not file her response to the Clerk of the Court , but only emailed her response to the Motion.

11. This case is in process of a Appeal with Arizona _____ , so its important that all of Commissioner _____ responses are documented and on Court record.

12. _____ has asked the Court to verify if Commissioner _____ response is on Court record , or to apply her response to Court Record , but the Court has not responded.

EXHIBIT A

Gmail

- Motion to Request Court Appearance in

Person

Good Morning,

Commissioner has read and reviewed defendant's Motion to Request Court Appearance in Person, and has denied the request. This is an initial hearing, so it will not be lengthy. The defendant can file an answer to the complaint and Commissioner will set a trial if needed (which will be in person). Any other evidence the defendant has, they may submit to the Court.

Best,

Judicial Assistant to the Honorable

T:

F:

EXHIBIT B

**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.**