

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-459

Judge:

Complainant:

ORDER

May 17, 2024

The Complainant alleged a superior court judge unfairly dismissed a domestic case and failed to provide minute entries timely.

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 Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 17, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-459

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.

Dear Judicial Conduct Board,

I am writing to file a formal complaint against Judge _____ regarding what I believe to be instances of judicial misconduct during my ongoing custody case. I have attended _____ court dates since _____ in an effort to secure full custody of my children. Father has attended _____

The specific details of my complaint are as follows:

1. ****Repetitive Postponements:**** The opposing party did not show up to the first _____ court dates. I diligently served the other party each time and provided verifiable proof, yet the court postponed until he showed up and allowed these delays.
2. ****Warrant Issuance for Non-Appearance:**** : On the _____ court hearing, a warrant was issued to ensure the father's attendance. This measure was only taken after repeated delays and hindrances to the progress of the case.
3. ****Dismissal Based on Minor Lateness:**** On the _____ court date, despite my attendance, the judge dismissed the case due to my being eight minutes late. This action seems disproportionate, especially when compared to the leniency shown towards the repeated postponements by the opposing party.
4. Minute orders were also never sent in a timely Manner.

I believe these actions collectively constitute judicial misconduct, as they appear to deviate from established court procedures and raise concerns about fair treatment.

I kindly request a thorough investigation into this matter to assess whether the conduct of Judge _____ aligns with the ethical standards expected of a judicial officer. I trust that your office will handle this complaint with the utmost seriousness and impartiality.

Thank you for your attention to this matter. I am available for any further clarification or discussion as needed.

Sincerely,