

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-017

Judge:

Complainant:

ORDER

The Complainant alleged a superior court judicial candidate (now a judge) had misleading information on her campaign signs.

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 Commission approved sending the judge an advisory letter to ensure her campaign materials fully comply with the Code in future elections. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission member Michael J. Brown did not participate in the consideration of this matter.

Dated: May 13, 2021

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all appropriate persons on May 13, 2021.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-017

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.

I am the _____ County Superior Court judge in _____ My opponent is not a judge and has never been a judge, but she is putting out signs for her campaign which imply she is a judge. Specifically, her signs say _____

Judge, _____ County Superior Court
A

Rule 4.3 of the Arizona Code of Judicial Conduct says in pertinent part: "During the course of any campaign for nomination or election to judicial office, a judicial candidate, by means of campaign materials, including sample ballots, advertisements in the media, electronic communications, or a speech, press release, or any other public communication, shall not knowingly or with reckless disregard do any of the following:

(C) Use the title of an office not currently held by a judicial candidate in a manner that implies that the judicial candidate currently holds that office;

(D) Use the term "judge" when the judicial candidate is not a judge unless that term appears after or below the name of the judicial candidate and is accompanied by the words "elect" or "vote," in prominent lettering, before the judicial candidate's name or the word "for," in prominent lettering, between the name of the judicial candidate and the term "judge"...

Rule 4.3 (F) may also apply as it refers to "misrepresenting" one's "present position".

I am sending along a picture of _____ with her sign.

Thanks for your help with this.

Sincerely,

