

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-068

Judge:

Complainant:

ORDER

June 30, 2021

The Complainant alleged a justice of the peace did not fully consider all the evidence and made an erroneous ruling.

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 members Louis Frank Dominguez and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 30, 2021.

2021-068

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.

During the trial the Plaintiff presented over _____ of physical evidence including a signed witness testimony. Included in that evidence proved the Defendant broke Arizona law ARS § 33-1321(D) and proved the Defendant lied under oath. The Defendant presented zero evidence and told Judge _____ a narrative of lies during the trial and under oath.

Judge _____ was negligent in not considering ALL of the Plaintiff's evidence that was presented to the court. Judge _____ was not clear that exhibits which are not discussed during the hearing would not be considered in their ruling. That decision was negligent on the part of _____ and negatively affected the Plaintiff's testimony. It was logically assumed by the Plaintiff that any exhibits / evidence submitted would be considered by the Judge in their ruling, instead of only exhibits specifically discussed during the trial. What is the point of submitting exhibits (evidence) if they are not going to be considered automatically?

In Judge _____ ruling, _____ did NOT acknowledge that the Defendant broke Arizona state law despite the overwhelming evidence from the Plaintiff. If a person is not required to follow Arizona state law, then the justice system is compromised. Is that judicial misconduct or is it judicial negligence? Does Arizona law matter to Judge _____ ? It seems unclear.

Clear evidence was provided to the Judge by the Plaintiff, yet _____ ignored it. Shame on Judge _____ for making the laws of Arizona seem irrelevant. This kind of judicial misconduct empowers and emboldens the Defendant to be predatory upon others given that there were no penalties for breaking Arizona state law, despite clear evidence.

Judge _____ judicial misconduct will likely cause harm to future tenants of the Defendant because of _____ judicial misconduct.

In the view of the Plaintiff, Judge _____ was lazy and negligent in considering all the evidence, and mishandled the evidence presented to the court by ignoring it.

In summary, ARS § 33-1321(D) was completely ignored by the Defendant and Judge _____. That law is in place to protect tenants who have predatory landlords. Therefore, what is the point of such a law if _____ chooses to ignore it? Is that not judicial misconduct?