

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-057

Judge:

Complainant:

ORDER

December 22, 2022

The Complainant alleged improper and untimely rulings by a superior court judge hearing a civil case.

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 Colleen E. Concannon, Louis Frank Dominguez, and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 22, 2022.

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

FOR OFFICE USE ONLY**2022-057****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.

On _____, I submitted a _____ To _____ On _____
Defendant State submitted its response. Judge _____ made his decision to
deny my motion even before I had a chance to reply to the State's response.
The Judge allowed the State's attorney to lie to the Court, and the Judge denied
my motion based on those lies, without even considering my reply. I filed
a motion for Reconsideration and the Judge denied it. After seeing this,
Attorney for Defendant County, filed a _____ for _____ of
in which she too lied. I filed a response to _____ Motion
showing the Judge, with exhibits, where she was clearly lying, but
the Judge did not even consider my response, he just signed
proposed Order for judgment. Please See Documents enclosed.
Furthermore, I filed a motion for leave to amend my Complaint on
and that motion is still pending and have not been
determined and ruled on.

Once judges take the bench, the public expects them to be good
judges. A good judge is one who administers justice fairly, ethically,
uniformly, and efficiently. A good judge is one who is free from personal

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bias in decision making, who decides cases based on proper application of law and procedure to the facts, and issues clear rulings and decision that demonstrate competent legal analysis. A good judge always act with dignity, courtesy, and patience.

Every matter submitted to a judge of the _____ Court for decision shall be decided within sixty days from the date of the submission thereof. Ariz. Const. Art. VI § 21. In addition, the Arizona Code of Judicial Conduct, found at Ariz. R. Sup. Ct. 81, governs the conduct of State court judges. As the Preamble to the Code of Judicial Conduct emphasizes, the judge is a highly visible symbol of the rule of law in our Country. The public places great trust in the judges, as the judge is the arbiter of disputes in our society. For these reasons, it is imperative that every judge uphold the highest standard of conduct. The Canons of Judicial Conduct set out the judge's obligation in that regard. Those with particular application to Judge _____ misconduct are:

Canon 1. A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Canon 1.1. A judge shall comply with the law, including the Code of Judic-

ial Conduct.

Canon 1.2. A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Canon 1.3. A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.

Canon 2. A judge shall perform the duties of judicial office impartially, competently, and diligently.

Canon 2.2. A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.

Rule 2.5(A). A judge shall perform judicial and administrative duties competently, diligently, and promptly.

Rule 2.6(A). A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.

The record shows that Judge actually knew that both attorney for the State and attorney for the County were not telling the truth in their signed documents, and the record indicates by clear and convincing evidence that Judge abdicated his ethical responsibility to function as a judge by not considering my response and reply to those lying attorneys. Therefore, Judge actions constitute a course of willful misconduct.

Good judges participate in activities that promote ethical conduct among judges and attorneys, support professionalism within the judiciary and the legal profession, and promote access to justice for all. The above mentioned conduct of Judge creates in reasonable minds a

CONTINUED FROM Page 3-A

perception that Judge violated the Code of Judicial Conduct and engaged in other conduct that reflects adversely on his honesty, impartiality, temperament, and fitness to serve as a judge.

Every matter submitted for determination to a judge of the court for decision shall be determined and a ruling made not later than days from submission thereof, in accordance with Section 21, Article VI of the Arizona Constitution. Ariz. Sup. Ct. R. 91(e).

A court judge shall not receive his salary unless such a judge either certifies that no cause before such a judge remains pending or undetermined for days after it has been submitted for decision or there is submitted by the of the Arizona court a certification that such court judge has had a physical disability during the preceding sixty days or that good cause and sufficient cause exists to excuse the application of this section to particularly identified litigation then pending. Ariz. Rev. Stat. § 12-128.01.

By misconducting himself as mentioned above and shown in the court documents submitted herewith, Judge has violated the Code of Judicial Conduct; Rules of Conduct; and the Ariz. Constitution.

eSignature Page 1 of 1

Filing ID: Case Number:
Original Filing ID:

Granted as Submitted

**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.**