

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-374

Judge:

Complainant:

ORDER

January 24, 2025

The Complainant alleged a justice of the peace failed to appoint an attorney for a misdemeanor criminal 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 member Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 24, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024 - 374

COMPLAINT AGAINST A JUDGE

Name: Judge's Name: Hon. J.P.

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 _____ at approximately _____ I had an arraignment in above mentioned court/judge. I asked above mentioned judge to please appoint me a public defender as my attorney due to I cant afford to hire my own attorney. Above mentioned judge denied my request which is against my Constitutional rights. Arizona Rules of Criminal Procedure 6.1(a) and (b) state: (a) Right to Be Represented by Counsel. A defendant has the right to be represented by counsel in any criminal proceeding. The right to be represented by counsel includes the right to consult privately with counsel, or the counsel's agent, as soon as feasible after a defendant has been taken into custody, at reasonable times after being taken into custody, and sufficiently in advance of a proceeding to allow counsel to adequately prepare for the proceeding.

(b) Right to Appointment of an Attorney.
(1) As of Right. An indigent defendant is entitled to a court-appointed attorney in any criminal proceeding.

On _____ I sent a motion to above mentioned court requesting my right to a speedy trial. This motion was NEVER responded to by above mentioned judge.

On _____ at approximately _____ I had pre trial conference at above mentioned court. I again asked the judge to appoint me a public defender which he refused. I stated to the judge that I request a speedy trial and he refused to schedule the trial at earliest available time and instead set my matter for trial in _____ which is also against my Constitutional rights. The 6th ammendment clearly states that I am entitled to a speedy trial.