

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-476

Judge:

Complainant:

ORDER

February 20, 2025

The Complainant alleged a superior court judge failed to follow the law and improperly denied a motion to continue in 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 member Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 20, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-476

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.

See Attached Complaint

Judicial Complaint-

The complaint involves impropriety of three judges currently on the County Court: Presiding Judge , Judge , and Judge .

On , I filed a Complaint in the County Court. (see complaint) The Complaint involved both violations of civil rights and criminal actions by the County Attorney's Office. The matter was assigned to Judge . The Complaint was served on , and .

On , I filed a Motion for Extension of Time to serve the remainder of the Defendants. (see attached Motion)

On , Judge interfered in the matter and signed an order dismissing the Complaint against the remaining Defendants.

On , I filed a Special Action with the Arizona . (attached)

Judges and failed to follow the Rules of Civil procedure. Judge failed to recuse herself, Judge never reassigned the matter, and Judge knowingly, intentionally, and maliciously interfered in a matter that was not assigned to him.

This matter/complaint involves corruption in the County Attorneys Office, Police Department, and the Court itself. A former Deputy County Attorney and current sitting Judge is among the Defendants (Judge).

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.

Judge _____, Presiding Judge _____, and Judge _____ violated Canon 1 of the Arizona Code of Judicial Conduct. Specifically Rule 1.1 and Rule 1.2.

Rule 1.1 clearly states that:

A judge shall comply with the law, including the Code of Judicial Conduct

Judges _____ and _____ failed to follow the Code of Judicial Conduct.

RULE 1.2 clearly states that:

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

Judges _____, _____, and _____ did not promote public confidence in the integrity of the Court and has the appearance of impropriety as defined in the Arizona Code of Judicial Conduct.

Furthermore, actual improprieties include violations of law, court rules, or provisions of this code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge. In this matter the Judges violated the Court rules.

CANON 2

A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY

Judges _____, _____, and _____ violated Canon 2 of the Arizona Code of Judicial Conduct. Specifically Rules 2.5, 2.11, and 2.15.

Rule 2.5 clearly states:

A judge shall perform judicial and administrative duties competently, diligently, and promptly

3. Prompt disposition of the court's business requires a judge to devote adequate time to judicial duties, to be punctual in attending court and expeditious in determining matters under submission, and to take reasonable measures to ensure that court officials, litigants, and their lawyers cooperate with the judge to that end.

4. In disposing of matters promptly and efficiently, a judge must demonstrate due regard for the rights of parties to be heard and to have issues resolved without unnecessary cost or delay. A judge should monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs.

Judges _____, _____, and _____ failed to perform judicial and administrative duties competently, diligently, and promptly. Judge _____ never recused herself, Judge _____ never reassigned the matter, and Judge _____ interfered in a case that was never assigned to him.

Rule 2.11 clearly states:

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might

reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

Judges _____, and _____ have personal knowledge of facts that are in dispute in the proceeding.

Rule 2.15 clearly states:

(A) A judge having knowledge that another judge has committed a violation of this code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this code shall take appropriate action.

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

Comment

1. Taking action to address known misconduct is a judge's obligation. Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial

**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.**