

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-037

Judge:

Complainant:

ORDER

April 11, 2025

The Complainant alleged a city court judge failed to recuse when she had heard a previous dispute between the parties.

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 complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on April 11, 2025.

Arizona Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, Arizona 85007

(602) 452-3200

cjc@courts.az.gov

re: Judicial Complaint

Dear Honorable Commission,

I am writing to file a formal complaint against Judge _____ of the _____ City Court, Arizona. This complaint pertains to the judge's failure to recuse herself from presiding over case _____, despite having previously heard a related case involving the same participants and subject matter and relevantly presides over Domestic Violence Court and is the Chairperson of the Arizona _____ Court's Committee on Domestic Violence.

This case was initially activated in _____. It lingered on the court docket due to the COVID pandemic and subsequently the defendant's termination of unsupervised probation, _____ and then some to avoid the hand of retribution.

Summary of Prior Involvement

In _____, Judge _____ issued rulings that directly impacted the same parties and legal issues that were before the court in _____. Her prior exposure to material facts, testimony, and arguments in the earlier case created a significant risk of preconceived opinions that undermined her appearance of impartiality.

Specifically:

- In the earlier case, _____, Judge _____ ruled the defendant Not Guilty.
- The legal issues and factual circumstances in both cases are substantially related, with overlapping evidence and arguments.
- The defendant's legal defender, _____, through fear and/or intimidation failed to petition for a Change of Judge even though said defendant repeatedly requested he do so for these same reasons. His failure puts the onus on Judge _____ to self-recuse in the best interest of justice.

Despite the clear connection between the two matters, Judge _____ failed to recuse herself.

Rule 2.11 of the Model Code of Judicial Conduct, which requires recusal when impartiality may reasonably be questioned due to prior involvement with the same parties or facts. The judge's failure to self-recuse raises serious concerns about fairness and the appearance of bias.

Violation of Judicial Standards

Judicial ethics require recusal to preserve public confidence in the impartiality of the judiciary. Rule 2.11(a) of the Model Code of Judicial Conduct provides that a judge shall disqualify herself when:

1. The judge has personal knowledge of disputed evidentiary facts from a previous judicial proceeding involving the same parties.
2. A reasonable observer would question the judge's ability to be impartial due to prior rulings or exposure to the same matter.

Impact on Fairness

1. The failure to recuse in this situation undermines trust in the judicial process and compromises the perception of impartiality. The parties are entitled to a neutral arbiter free from preconceived opinions based on prior proceedings.
2. Her rulings pre/post-trial are questionable;
 - Her constant denial of Release on Own Recognizance (OR).
 - Her insistence on seeing the defendant's BAC which is a matter for trial and eliminates the presumption of innocence.
 - Her exuberant fines which crosses into cruelty by failing to uphold the principles of fairness, proportionality, and respect that the justice system is intended to promote.
 - Her statement that all of the defendant's witnesses were lying.
 - Her constant sarcastic correction of the defendant's counsel.
 - Her post-conviction false accusation of the defendant using weapons.
 - Giving the defendant _____ days jail credit, but not subtracting from the Release Date until defendant was aware and petitioned for correction.

Request for Investigation

One or two of these instances might be dismissed as simple lapses, but the totality of them can lead an outside observer to question the pattern or underlying causes

I pray that the Arizona Commission on Judicial Conduct investigates this matter and considers appropriate measures to ensure compliance with ethical standards.

Enclosed are relevant documents to include case materials demonstrating the connection between the two cases.

In closing, I pray that if the defendant in the future has a case before Judge _____, God forbid, that she has the integrity to recuse herself.

CITY COURT

CASE SUMMARY

Case Number:

Judge:

ST OF AZ VS

TCC Court Case #:

LEA Case#:

Case Status: CLOSED

DEFENDANT INFORMATION

, ARIZONA,

DOB:

Sex:

License State:

VEHICLE DESCRIPTION

License Plate:

Vehicle Year:

Style:

License Plate State:

Make:

Color:

Model:

ALIAS INFORMATION

Name	DOB	SSN	License #	License State
No Alias Information	--	--	--	--

CHARGE/CITATION DETAIL

Offense Location:

Ct	Citation#	Date	Charge Code / Description	Disposition
1			13-1203A1 (M1) (DV) ASSAULT-WITH INTENT OR KNOWINGLY CAUSE INJURY TO OTH	30-JDGMT ACQUITTAL/NOT RESP
2			13-2904A1 (M1) (DV) DISORDERLY CONDUCT-FIGHTING	30-JDGMT ACQUITTAL/NOT RESP

VICTIM'S RIGHTS: UNKNOWN if the offense(s) are, or are materially related to, a Victim's Rights applicable offense, i.e, it is a felony or it is a misdemeanor involving physical injury, the threat of physical injury, or it is a sexual offense.

BALANCE OWED:

Description:

Balance:

**TOTAL:
\$0**

REGISTER OF ACTION FOR CASE:

Date	Seq	Description	Amount	Comments
	1	Case Initiated -		
	3	Complaint Efiling Accepted for Complaint Type =ATTC		
	4	ARRAIGNMENT SCHEDULED ON AT IN	-	
	5	CRT ARRAIGNMENT SCHEDULED ON AT IN		
	7	COURT Scheduling event generated for UNSCHEDULED @		
	8	ARRAIGNMENT SCHEDULED ON AT IN JUDGE COURT	-	

10 PRETRIAL CONFERENCE SCHEDULED ON
AT IN JUDGE
COURT

13 PRETRIAL CONFERENCE SCHEDULED ON
AT IN JUDGE -
COURT

16 PRETRIAL CONFERENCE SCHEDULED ON
AT IN JUDGE -
COURT

17 PRETRIAL CONFERENCE CONTINUED TO
AT IN JUDGE -
COURT

19 PRETRIAL CONFERENCE CONTINUED TO
AT IN JUDGE -
COURT

21 PRETRIAL CONFERENCE SCHEDULED ON
AT IN JUDGE -
COURT

24 NONJURY TRIAL CONTINUED TO
AT IN -
CRT

27 NONJURY TRIAL SCHEDULED ON
AT IN JUDGE -
COURT

35 Contract# created for the
amount of

36 Case placed on contract

39 Payment Contract#
Terminated

40 Contract removed from case

41 Receivable Suspended For

42 Contract# created for the
amount of

43 Case placed on contract

44 FAILURE TO PAY COMPLIANCE ISSUE

45 DELINQUENT TIME PAYMENT CONTRACT

46 CRIMINAL CASE DELINQUENT CONTRACT
NOTICE REQUESTED

47 CRIMINAL CASE DELINQUENT CONTRACT
NOTICE GENERATED

48 Payment Contract#
Terminated

49 Contract removed from case

50 CURRENT PARTY ADDRESS HAS BEEN
MARKED BAD

51 CURRENT PARTY ADDRESS HAS BEEN
MARKED BAD

52 Receipt# generated for the
amount of

53 CURRENT PARTY ADDRESS HAS BEEN
MARKED BAD

54 Corrected address returned - Please review

56 CURRENT PARTY ADDRESS HAS BEEN
MARKED BAD

57 CURRENT PARTY ADDRESS HAS BEEN
MARKED BAD

**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.**