

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-067

Judge:

Complainant:

ORDER

A superior court pro tem judge self-reported delayed rulings in several cases.

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 Commission approved sending the judge an advisory letter reminding of the duty to issue rulings timely under Rules 1.1 and 2.5(A) of the Code of Judicial Conduct, along with Art. 2, §11, and Art. 6, §21 of the Arizona Constitution. The complaint is therefore dismissed pursuant to Commission Rules 16(b) and 23(a).

Commission member Roger D. Barton did not participate in the consideration of this matter.

Dated: June 9, 2025

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on June 9, 2025.

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

Re: Self-Report of Violation of Rule 91(e)

To Whom it May Concern:

I am self-reporting a violation of Rule 91(e) of the Rules of the Supreme Court of Arizona. I am a _____ in _____ County, As _____ I inherited a caseload comprised of domestic relations and civil cases. Upon initially taking the bench I inherited a calendar full of trials due to _____ of another judicial officer. While I believe given the circumstances, I managed the case load as well as I could. There were I couple of under advisement rulings that did not meet the Rule 91(e) deadline by a day or two. Those cases are:

- _____ v. _____ - my chief justice indicated that by the clerks log this matter was taken under advisement on _____ and was due _____ and I vacated order taking under advisement a day late on _____. However, the _____ minute entry reflects that I vacated the under advisement that day. When my JA and I recognized the clerks did not remove the matter from under advisement, we filed another order which is the date the clerks reflected rather than the _____ date.
- _____ signed _____ - On _____ I was in judicial training that week and despite my best efforts was unable to get this ruling completed while I was in the training. This was also a more complicated trial that I had done shortly after taking the bench which took me longer to ensure accuracy on completion.
- _____ v. _____ taken under advisement _____ due _____ signed _____ Another more complicated trial of issues I had not yet dealt with, which took me longer to ensure accuracy on completion.

My caseload and under advisements are no longer at a back log and I have adopted a calendaring system of matters being taken under advisement to ensure I am not burdened by several at once.

As of _____ I had a new judicial assistant. The new JA started during a time I was in new judge orientation. Until _____ the new JA and I struggled to manage the current caseload. At the onset, I was having daily discussions with her regarding our routines and formal check in meetings with her every few weeks. Throughout _____ weekly conversations occurred. In _____ court administration became involved and by _____ it became clear things were not going well. I was handling my own calendar, preparing my own buffs, and now had my own TK¹ list and UA² list. I also began to try to track through the _____ system. My bailiff (_____) was going through all my cases to try to find Motions or other filings he believed needed ruling or were missed. Because I was taken on additional responsibilities. There were a few under advisements that were filed at 61 days during this period.

Upon resignation of the JA and an interim JA filling the role, I immediately began to get a grasp on the UA list and get to the rulings I knew needed to be addressed. Because there were seven (7) at that point that needed ruling within the next two weeks, I focused on those I could deal with more quickly first. Despite my best efforts there were a couple filings that were filed at 61 and 62 days. The temporary JA has also discovered a motion that was not properly brought to my attention to be dealt with.

These cases are:

- _____ - Motion for alternative service filed _____ the division issued an order placing on the dismissal calendar. This Motion was not brought to my attention until _____ have since issued ruling on _____
- _____ 1 v _____ taken under advisement _____ due signed
- _____ v _____ fully briefed _____ due: _____ signed

In all of this experience, if I were to ever find myself in this situation again, I plan to ensure that I am involving either the presiding or associate presiding judge as well as court administration from the outset. I wanted to self-report to the Commission to err on the side of caution and to be as transparent and honest as I can about missing the timeframes under Rule 91(e). I am actively reviewing the tracking system my temporary judicial assistant is using for placing pending rulings on my UA list, and I am working earnestly to finish a case review of the civil and domestic cases assigned to me. The current JA is also in the process of going through _____ to determine whether any other motions were overlooked from _____ forward. She is currently through _____ I am concerned that during my case review, I may find other cases pending a decision that are over the 60 days under Rule 91(e) but of which I am not aware. If I do find any, I will self-report those and will take corrective action to ensure those rulings are addressed immediately.

If the commission has any additional questions or concerns, I will provide copies of emails and share more information on request.

HON.
Judge

¹ TK list is a list that the JA keeps to track issues that need to be monitored and dealt with in the future such as motions or any rulings from the bench.

² UA list is a list that the JA keeps to track issues that have been fully briefed or taken under advisement in a hearing in which the 91(e) deadline is actively running.