

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-096

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Judge:

Complainant:

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**ORDER**

June 10, 2025

The Complainant alleged a pro tem justice of the peace made improper rulings in an eviction 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 allegations of the complaint in this matter solely raised disagreements with legal rulings. The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. "A good faith error of fact or law does not violate this rule. However, a pattern of legal error or an intentional disregard of the law may constitute misconduct." See comment 3 to Rule 2.2 of the Code of Judicial conduct. Any violation of the Code of Judicial Conduct must be proven by clear and convincing evidence.

A mistake in a ruling does not automatically mean that the judicial officer has engaged in judicial misconduct. Judicial officers are required to exercise their discretion in making their decisions. Even if a judicial officer's decision is legally or factually incorrect, the ruling is generally considered to be "legal error" and not "ethical misconduct" that the Commission can address. When a complaint to the Commission solely relates to the correctness of a judicial officer's legal decisions, the Complainant is seeking the Commission to function in the capacity of an appellate court. Correcting legal errors is the role of the appellate courts, not the Commission.

The Commission is a regulatory body with limited jurisdiction. The Commission is not a court, and as such, it does not have any authority to overturn a judicial officer's rulings, intervene in a case, assign a new judge to hear a case, or award any monetary or other relief. The Commission process cannot be a substitute for seeking appellate review.

The Commission reviewed all information submitted by the Choose an item 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).

A Duty Panel comprised of Commission members Denise K. Aguilar, Colleen E. Concannon, and Joseph C. Kreamer considered this matter.

Copies of this order were distributed to all appropriate persons on June 10, 2025.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2025-096

**COMPLAINT AGAINST A JUDGE**

Name:

[Redacted Name]

Judge's Name:

[Redacted 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.

**Request for Review of Judicial Conduct and Hearing Recording**

I am submitting this formal request for a review of the hearing recording and the judicial conduct of the presiding judge in my case. Several violations of the judicial code of conduct occurred, resulting in an unfair and unjust outcome. The judge failed to uphold impartiality, fairness, and my right to be heard, as required by the following rules:

Rule 1.2 – Promoting Confidence in the Judiciary: A judge must act in a way that promotes public confidence in the judiciary's independence, integrity, and impartiality while avoiding impropriety or the appearance thereof. The judge's actions in my case failed to uphold these principles, diminishing confidence in the fairness of the court.

Rule 2.2 – Impartiality and Fairness: A judge is required to uphold and apply the law fairly and impartially. Furthermore, this rule acknowledges that reasonable accommodations should be made to ensure that self-represented litigants have the opportunity to be fairly heard. In my case, the judge did not weigh my evidence and dismissed my concerns without properly addressing them.

Rule 2.4 – External Influences on Judicial Conduct: The judge is required to decide cases based solely on the law and the facts presented. However, instead of considering my evidence and the merits of my motion, the judge improperly deferred my concerns to the appeals court without addressing them at the appropriate stage.

Rule 2.6 – Ensuring the Right to Be Heard: Every person with a legal interest in a proceeding has the right to be heard. Despite filing my motion in a timely manner on [redacted] for a hearing on [redacted], I was not given a meaningful opportunity to present my evidence. The judge disregarded my evidence, instead referring back to an [redacted] hearing that I was unable to attend.

**Summary of Issues in My Case:**

I presented an oral argument requesting that my rent bond be adjusted to reflect the correct amount rather than the incorrect overcharge and to stay the writ of restitution until the correct bond was determined. However, the judge did not fairly consider my motion, evidence, or legal arguments. Instead of addressing the specific issues in my motion, I was told to take my concerns to the appeals court—despite my understanding that such motions should be heard before an appeal is necessary.

The opposing attorney had previously requested an incorrect bond amount at a hearing I was unable to attend on [redacted]. That attorney also sought an immediate writ of restitution, despite the fact that the writ issued in [redacted] should have been voided due to its invalidity. My motion sought to correct these errors, yet the judge refused to consider my evidence or arguments.

As a direct result of these failures, I was forced to vacate my residence within [redacted] days with my child and dogs, an undue hardship that could have been prevented if the judge had properly applied the law and considered my evidence.