

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-113

Judge:

Complainant:

ORDER

July 11, 2025

The Complainant alleged a municipal court judge violated his Americans with Disabilities Act rights, when she asked about his disability when he appeared remotely in a process service 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 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 members Regina L. Nassen and Christopher P. Staring did not participate in the consideration of this matter.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-113

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.

I, _____ am a certified Process Server appointed by the _____ Court of _____ County (License # _____) and a 100% disabled U.S. Veteran. I am submitting this formal complaint against Judge _____ of _____ Municipal Court regarding improper and inappropriate conduct during a hearing held on _____ at _____ in the case Town of _____ (Case Nos. _____ and _____).

Background of the Incident

I was subpoenaed to appear in this case as the Process Server responsible for serving legal documents on the defendant, _____. This hearing was solely to determine the validity of service. Per _____ Municipal Court's established policy, individuals are permitted to appear via telephone or video conference instead of in-person if they make a request at least 10 days in advance, which I did. I submitted my request to appear via Zoom and received an official approval from the court via email.

Upon appearing remotely on _____ I was immediately met with hostility from Judge _____. She appeared visibly upset and questioned why I was appearing via Zoom despite my request being lawfully approved. She proceeded to ask me—in open court and in front of all present—what my disability was and why I was unable to appear in person.

I was shocked and deeply uncomfortable by this line of questioning, as my disability status was not relevant to the case and should not have been publicly discussed. When I inquired why she was asking, Judge _____ stated it was because I had mentioned my disability in my request. She then went further, questioning how I could work as a process server if I was disabled.

At this point, I was upset and felt humiliated, but I maintained professionalism and informed her that I could provide my official VA-issued identification confirming my disability status. She then dismissed the matter, stating that it was unnecessary and moved forward with the hearing.

Legal Concerns & Violations

Judge _____ conduct was improper, inappropriate, and potentially unlawful, violating both federal and state laws protecting disabled individuals. Specifically:

1. Americans with Disabilities Act (ADA) - Title II (42 U.S.C. § 12132)
 -----*Title II of the ADA prohibits public entities, including courts, from discriminating against individuals with disabilities and mandates that reasonable accommodations must be provided.
 -----*Asking me to publicly disclose the details of my disability in open court was unnecessary and inappropriate, violating my rights under the ADA.

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2. Rehabilitation Act of 1973 - Section 504 (29 U.S.C. § 794)
 This law prohibits discrimination based on disability by entities receiving federal funds, including municipal courts.
 The court approved my request for accommodation (Zoom appearance), and the judge's hostility and interrogation regarding my disability may constitute discriminatory treatment.

3. Arizona Civil Rights Act (ARS § 41-1492.02)
 Arizona law also prohibits discrimination against individuals with disabilities in public settings, including courtrooms.
 The judge's demand for unnecessary disclosure of my disability, questioning of my ability to work, and disregard for my court-approved accommodation may amount to a violation of this law.

4. Violation of Judicial Conduct & Ethics
 Judges are held to the highest standards of professionalism and impartiality under the Arizona Code of Judicial Conduct.
 The judge's behavior was not only unprofessional but also demeaning, demonstrating a lack of respect for individuals with disabilities.
 Canon 2, Rule 2.3 of the Arizona Code of Judicial Conduct prohibits bias, prejudice, and harassment, including discriminatory conduct toward persons with disabilities.

Request for Action
 I am formally requesting that the Arizona Commission on Judicial Conduct review this matter and take appropriate disciplinary action against Judge . Specifically, I ask that the Commission:
 Investigate whether Judge conduct violated the ADA, Arizona Civil Rights Act, or other legal protections for disabled individuals.
 Provide corrective measures or disciplinary action to ensure this type of discriminatory questioning does not happen to others in her courtroom.
 Require Judge to undergo training on ADA compliance and the proper treatment of disabled individuals in a court setting.

Conclusion
 As a 100% disabled U.S. Veteran, I have always conducted myself with the highest level of professionalism and respect, and I expect the same from the judiciary. I was humiliated and deeply disappointed by this experience. No individual—especially not an officer of the court—should be allowed to question or discredit a person's disability in open court. If this happened to me, I can only wonder how many others have been subjected to the same treatment.
 I appreciate the Commission's time and consideration in reviewing this serious matter. Please inform me of any next steps or if additional information is required.
 Sincerely,

Certified Process Server - County (#)
 U.S. Veteran (100% Disabled)