

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-168

Judge:

Complainant:

ORDER

August 22, 2025

The Complainant alleged a pro tem judge improperly was an attorney in front of another pro tem judge creating a conflict of interest.

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).

Copies of this order were distributed to all appropriate persons on August 22, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-168

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.

Please see attached document.

Please be advised that the case is still open, but I have never been before Judge Pro Tempore nor is he the assigned Judge on this case even though he made a ruling on it.

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

Re: Formal Complaint Against Judge Pro Tempore _____ and Judge Pro Tempore _____
County _____ Justice Court System and County _____ Court _____

To Whom It May Concern:

I respectfully submit this complaint against Judge Pro Tempore _____ and Judge Pro
Tempore/Attorney _____ both of whom currently serve as Judge Pro Tempores within
County-Civil Court jurisdiction. This complaint arises from their conduct in _____ a
case in which I am the plaintiff in _____ County Justice Court.

The issues raised involve unauthorized judicial intervention, procedural misconduct, and conflicts of
interest that clearly rise to the level of an appearance of impropriety. Judge Pro Tempore _____ issued
a ruling in a case to which he was not assigned and did so in favor of Judge Pro Tempore _____—who
was acting as defense counsel while simultaneously serving as a judge pro tempore in the same
jurisdiction. This conduct, without disclosure or recusal, undermines public confidence in the fairness and
transparency of our judicial system.

Case Background and Timeline

The matter at issue, _____ is a civil action currently pending in the _____ County
Consolidated Justice Court. The judge of record assigned to this matter is the Honorable Judge
_____. To be clear, I am not making any allegations of misconduct against Judge _____. Based on the
events and available evidence, I do not believe Judge _____ was aware that Judge Pro Tempore
actions in this case or that these rulings were being issued without proper assignment or disclosure. My
complaint is focused entirely on the actions of Judge Pro Tempore _____ and Judge Pro Tempore _____

The case was filed in _____ County Small Claims Court on _____, and served on statutory
agent on _____. On _____, I received a letter from Judge Pro Tempore _____ notifying
me that he would be representing _____ (_____. At that time, the case was still designated
as a small claims matter, and under A.R.S. § 22-512(B)(7) and Rule 1(c) of the Arizona Rules of Small Claims
Procedure, attorney representation was not allowed without written consent from all parties. I never
consented.

Or _____, I formally notified Judge Pro Tempore _____ that his appearance was unauthorized
and in violation of state law and Arizona Judicial rules. Nonetheless, he continued to represent the

defendant and filed multiple pleadings. In addition, I responded with several motions, including a motion for sanctions, a motion for default judgment, and a motion to remand the matter back to small claims court due to the procedural violations by Judge Pro Tempore

On a ruling was issued denying several of my motions, including a motion for sanctions against the opposing party's attorney, Judge Pro Tempore This order did not contain a printed name and only featured an illegible signature. It was not until I contacted the Clerk's Office that I was informed that this ruling had been issued by Judge Pro Tempore not Judge

To reiterate: Judge is not the judge of record in this case and has never been publicly assigned to preside over this matter. Judge Pro Tempore is a full-time Judge Pro Tempore who EXCLUSIVELY oversees eviction proceedings in County. No notice of reassignment or substitution was provided to me as the plaintiff, and no order or minute entry has ever explained his authority to issue a ruling in this case.

The substance of the order is also deeply problematic: Judge Pro Tempore denied motions I had filed related to procedural misconduct and potential ethical violations by opposing counsel, Judge Pro Tempore—who, as referenced previously, is also a Judge Pro Tempore in County. In other words, Judge, a sitting judge pro tempore, issued a ruling favoring another judge pro tempore from the same court system and jurisdiction, without any disclosure or recusal, and in a case where the underlying issues raised concerned Judge Pro Tempore conduct.

In response to that ruling, I filed a Motion for Reconsideration on outlining both legal and procedural errors, as well as reiterating concerns about impartiality. However, on Judge Pro Tempore filed an unauthorized Response to the Motion for Reconsideration—a clear violation of Rule 7.1(e)(2) of the Arizona Rules of Civil Procedure, which prohibits such filings unless the court grants prior leave. There is no record of Judge Pro Tempore requesting permission, and no order was entered by the court allowing such a filing. As of the date of this complaint, no ruling has been made on the motion for reconsideration.

Minute Entry Inconsistencies

When reviewing the civil minute entry issued by Judge Pro Tempore on several aspects of the document appeared both suspicious and concerning—particularly regarding what information was included, and more notably, what was omitted. The form itself appears incomplete and raises serious procedural questions. It suggests that Judge Pro Tempore may have deliberately failed to complete it properly due to the conflicted nature of the case—or possibly that Judge Pro Tempore prepared the template document in advance, much like a pre-drafted order, for the following reasons:

1. Although the form lists a court date and time, no oral argument was held, nor was any hearing ever scheduled. Additionally, the section labeled "Hearing Type" is marked as "Unknown." How can a minute entry signed by a judicial officer indicate that the hearing type is "Unknown"? This undermines the legitimacy of the record and raises serious concerns about whether a proceeding ever occurred. If no hearing was held, why include a date and time at all—especially since Judge Newman's signature is already dated? Why not indicate "N/A" or "None"? Was a proceeding conducted without the plaintiff's knowledge? The checkboxes indicating whether the plaintiff or defendant appeared are also left blank, further adding to the confusion.
2. While the entry includes contact details for both parties, it lists the full address of Judge Pro Tempore law firm, yet omits the plaintiff's contact information entirely. Why would the

- plaintiff's information be excluded—especially given that the plaintiff had to request this document directly from the courthouse and never received a hard copy in the mail?
3. Judge Pro Tempore _____ did not identify his judicial role beneath his signature. It remains unclear whether he signed the order as a Justice of the Peace hearing officer or a Judge Pro Tempore. This lack of designation creates ambiguity about his legal authority to issue the ruling. Why wouldn't Judge _____ properly indicate his role?
 4. The entry does not specify how notice of the ruling was served. As mentioned previously, I only obtained a copy by contacting the Clerk's Office after discovering the ruling by chance on the _____ County Justice Court website. Had I not done so, I could have easily missed the deadline to file a motion for reconsideration, which would have severely prejudiced my rights.
 5. Under the section labeled "For Court Use Only," there is no indication of a processing date or initials from court personnel—information that is typically included on valid minute entries.

The totality of these omissions and inconsistencies in the civil minute entry only deepens concerns about the procedural integrity of this ruling. It raises serious questions about whether proper judicial process was followed and whether this may constitute judicial impropriety or malfeasance. This is in addition to the professional misconduct of Judge Pro Tempore _____, who served as counsel for the defendant.

Concerns Regarding Judge Pro Tempore _____

Availability to Review This Case

It is highly questionable whether Judge Pro Tempore _____ had the practical ability—or the time—to thoroughly review the filings in my case, given the immense volume of eviction cases he oversees in Pima County. Judge _____ primary judicial assignment involves presiding over eviction matters, and the caseload statistics are staggering:

- _____ : _____ eviction cases
- _____ : _____ eviction cases
- _____ : **eviction cases**
- **(year-to-date):** _____ cases, which projects to an annualized total of _____ cases

To put this in perspective:

- In _____, there were approximately _____ evictions per business day
- In _____, that number rose to _____ evictions per day
- In _____, the average was **evictions per day**
- In _____, based on the current pace, Judge _____ is managing approximately _____ **evictions per day**

There is an old adage that says, "numbers don't lie." These figures demonstrate the overwhelming volume of Judge _____ docket and the extreme unlikelihood that he had the time to thoroughly review a civil matter unrelated to evictions. It is simply not feasible for any judicial officer to conduct a meaningful review of multiple filings, consider legal arguments, and prepare a detailed ruling under such time constraints.

A case like mine—especially one involving potential conflicts between judicial officers—would reasonably require at least _____ minutes of careful review, if not more. Yet even using the more conservative numbers, Judge _____ would be managing _____ cases per hour in an 8-hour day, without breaks. At the current _____ pace, he would need to resolve one eviction every five minutes, continuously, for the entire workday.

**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.**