

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-175

Judge:

Complainant:

ORDER

August 5, 2025

The Complainant alleged a superior court judge improperly denied a motion for a new attorney and change of judge.

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 Complainant 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 Regina L. Nassen, Scott H. O'Connor, and Christopher P. Staring considered this matter.

Copies of this order were distributed to all appropriate persons on August 5, 2025.

2025-175

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.

Court appointed attorney filed a motion to withdraw. A hearing was held. Defendant tried to explain she had only had contact by phone 1 time but the court didn't want to hear it and harshly and falsely accused Defendant of "the" of attorneys withdrawing, thereby "putting" the defendant on notice that if another attorney withdrew she would do a full inquisition as to why and "if it were found I was" "I would be forced to represent myself."

On Defendant notified of an intent to file a motion to show cause and a motion to compel in order to obtain trial transcripts and discovery items needed in order to be able to defend my claims. She immediately filed a motion to withdraw. A hearing was held where the judge immediately began his false accusations, with a raised tone, aggressively informed defendant that "no one knew exactly what the problem was and when he provided the defendant the opportunity to speak, cut her off with his accusations and made the false statement that he never put her on notice to investigate and then forfeited her right to counsel as an indigent but have called it a "waiver" but defendant is aware of the dangers of proceeding without counsel and is not voluntarily waiving my right to counsel.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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.

Defendant has also filed a motion to Recuse the judge which was denied and requested counsel when she was still appointed to request a new judge on the grounds of the potential prejudicial manner he forfeited my rights in addition to the probability of him being a material witness if I could find effective counsel that will comply with the Rules of Professional Conduct, Ethics and Responsibility and provide me with the necessary tools needed to have an adversarial outlook. Counsel refused the request and the motion was denied and then the judge appointed who has not gotten me any requested discovery items in over months to be advisory counsel and file a petition for Post Conviction Relief on my behalf even though I am being forced to proceed Pro Se. And he requested I also file a petition of Post Conviction Relief and he would take the two petitions, pick out the claims ~~he~~ liked between the two and that would be the PCR he would enter on my behalf. Then he discussed with the prosecutor, the cost of keeping me in litigation depleting my confidence completely that it is possible to receive a fair trial under this judge. I filed a petition for review by a higher court that this judge has not addressed. The prejudice shown is not the fair trial guaranteed me by the AZ and US constitutions.

P.S. there has never been attorneys on my case