

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-231

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Judge:

Complainant:

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**ORDER**

August 22, 2025

The Complainant alleged a superior court judge had a delayed ruling by failing to rule on a substitution of counsel in a family law 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).

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

2025-231

**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. PURPOSE OF THIS UPDATE**

This document supplements the judicial complaint previously submitted regarding Judge \_\_\_\_\_ and outlines additional constitutional, procedural, and ethical violations relevant to pending issues in the above-captioned family law matter.

**II. VIOLATION OF ARTICLE 6, SECTION 21 OF THE ARIZONA CONSTITUTION**

Article 6, Section 21 of the Arizona Constitution provides:

"The superior court shall be open at all times, except on nonjudicial days, for the determination of causes, and justice shall be administered without denial or unnecessary delay."

The undersigned asserts that Judge \_\_\_\_\_ violated this provision through prolonged and unexplained delays in adjudicating critical issues that were properly submitted to the court for determination. Specifically:

The Amended Substitution of Counsel was filed on \_\_\_\_\_ and an amended version on \_\_\_\_\_ ( \_\_\_\_\_ ), both of which remain unresolved as of the date of this submission.

More than a dozen substantive motions and objections filed prior to the trial remain undecided.

No findings or justifications for the delay were made available to the parties.

**III. VIOLATION OF RULE 91(e), RULES OF THE ARIZONA SUPREME COURT**

Rule 91(e) of the Rules of the Supreme Court of Arizona, directly referencing Article 6, Section 21, mandates:

"Every matter submitted for determination to a judge of the superior court for decision shall be determined and a ruling made not later than sixty days from submission thereof, in accordance with Section 21, Article VI of the Arizona Constitution."

Further, it requires that:

"Each superior court clerk shall report to the Administrative Director of the Courts, in writing, on the last day of March, June, September and December, in each year, all matters in that court submitted for decision sixty days or more prior to the date of such report and remaining undecided on the date of the report."

The prolonged inaction on submitted motions and the Amended Substitution of Counsel exceeds the sixty-day deadline. There has been no record of justification, extension, or reporting. This constitutes both

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**FOR OFFICE USE ONLY**

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a procedural breach and a violation of judicial duties as outlined by Supreme Court Rule 91(e).

**IV. CUMULATIVE DUE PROCESS VIOLATIONS**

In addition to the substitution and motion delays, Judge \_\_\_\_\_ failure to act on over a dozen pending filings (outlined in prior motions and objections) resulted in:

Denial of a meaningful opportunity to be heard under *Mathews v. Eldridge*, 424 U.S. 319 (1976).

Selective enforcement of procedural rules that disfavored a self-represented litigant, in violation of *Goldberg v. Kelly*, 397 U.S. 254 (1970).

Interference with Respondent's ability to object to evidence, prepare for trial, respond to counsel's filings, and preserve appellate rights—causing procedural prejudice and significant emotional and financial strain.

Issuance of a \_\_\_\_\_ attorney fee judgment despite an active, properly filed objection based on ARFLP Rule 78(e) and due process concerns. The court did not conduct a hearing to evaluate these objections and failed to address the procedural deficiencies raised. This resulted in a financial sanction imposed under a defective substitution and in violation of applicable procedural rules.

**V. REQUEST FOR ACTION**

The Complainant respectfully urges the Arizona Commission on Judicial Conduct to:

Investigate Judge \_\_\_\_\_ failure to rule within 60 days under Rule 91(e);

Determine whether these delays violate the constitutional guarantee of justice without unnecessary delay under Article 6, Section 21;

Recommend judicial accountability measures consistent with the Code of Judicial Conduct, including potential discipline for willful and persistent failure to perform judicial duties;

Consider whether the pattern of procedural irregularities and unaddressed motions reflects systemic issues of judicial bias or neglect that merit broader review.

Respectfully submitted,

CC: Arizona Attorney General