

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-307

Judge:

Complainant:

ORDER

October 2, 2025

The Complainant alleged a justice of the peace improperly declined to provide an attorney without medical documentation in a criminal 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 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 October 2, 2025.

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

FOR OFFICE USE ONLY

2025-307

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.

Judge _____ refuses to provide legal counsel. This is the second case I have had before him with refusal legal counsel citing that he or the state is not requesting jail time although the first one did result in _____ days jail time and still I was refused right to ~~counsel~~ *counsel*

I physically have court paper (handed to me when I checked in at court)

NOTICE OF RIGHT TO COUNSEL AND WAIVER

Then reads as follows:

You have elected to proceed without an attorney either because

() You do not want one

() the court has determined that I am not entitled to a court appointed attorney & you chose not to retain o

I have had multiple cases in front of Judge _____ & every case was refused counsel

The case that resulted in _____ days in solitary
When I ask for ~~counsel~~ counsel he told me I had
to produce a Dr. letter saying I suffered
from _____ from a DUI crash where I
am the victim, case # _____

Exhibit A: Case # _____

On _____ I ask to be appoint.
public def. I qualify by \$ reg. but he
was requiring a dr. not attesting to

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I understand a Justice court judge
is not required by job mandate to
have to encompass good moral character
but dont you think its time to change
street look at news
paper updated

Head line Council upholds demotion
of

and

settles suit claiming misconduct
Lied/Perjured himself on
witness stand as a cop

I requested a public defender
met financial requirements then
was ordered to provide a Dr. note
attesting to diagnosis of [redacted]
before my miranda rights will
be considered

[redacted] stated to me"

Exhibit A:

JUSTICE COURT
MAGISTRATE COURT
MAGISTRATE COURT

COURTS

~COUNTY OF _____~

• Fax

STATE OF ARIZONA)
vs)
_____)
_____)
_____)
_____)

NOTICE/ORDER OF COURT DATE

CASE # _____

WARNING:

**Appearance is mandatory at all hearings.
Failure to appear may result in the issuance
of a warrant.**

- Defendant appeared and plead: Not Guilty Guilty No Contest Date: _____
- Pre-trial set Sentencing set Evidentiary Trial Hearing
- Jury Trial _____ Trial Readiness _____
- State requested continuance Defense requested continuance Rule 8 waived _____
- Defendant failed to APPEAR. Issue Warrant Prints Ordered Warrant cleared
- Counseling ACCI Comm. Service / Projects To make payments \$ _____ per month

OTHER To provide medical documentation
to support appointment of counsel
because of mental health issues
 Order Appointing Attorney (The Court could do this)

\$25.00 Attorney fee shall be paid on or before next court date.

THIS IS THE ONLY NOTICE THAT YOU WILL RECEIVE FOR YOUR SCHEDULED HEARING.

I understand I have the right to be present at my trial and other proceedings in my case, and if I fail to appear the trial or proceedings will be held without me and any bond posted may be forfeited. If I fail to appear additional charges may be filed against me. If convicted, I understand I will be required to appear for sentencing. If I fail to appear and my absence prevents the court from sentencing me within 90 days I may lose my right to a direct appeal.

Defendant is responsible to notify the Court of any Change of Address.

Your hearing may proceed in your absence resulting in further penalties.

Respectfully submitted this _____ day of _____, _____

X _____
Court Personnel

Original to Court
Prosecutor: _____ received.

Defendant: _____ received.

Attorney/Other: _____ received.