

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-322

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Judge:

Complainant:

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**ORDER**

October 2, 2025

The Complainant alleged a justice of the peace improperly dismissed a small claims case claiming a limited liability company was required to have a lawyer representing the company.

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 October 2, 2025.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2025-322

**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 was a plaintiff in a small claims justice court. The judge dismissed my case based on a ruling that is not legally correct. I filed in small claims court representing my small company which is an LLC. The judge's ruling stated 'an LLC cannot file in small claims and must be represented by legal counsel and cannot get around the rules by filing in small claims'. The rules for small claims state online a corporation or any organization can file in small claims court. I do not think it is right for the judge/ court to force people to pay for attorneys and go to civil court. I had settlement offer out of court with the defendant and because of the judge's ruling the defendant failed to settle out of court after to her ruling. I had the full settlement on the table prior to her ruling. I had to file a new case which is now being transferred to civil court. This judge's ruling has costs me thousands of dollars in legal fees which is the opposite of what small claims was for created for.

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CASE NUMBER: \_\_\_\_\_

Plaintiff(s) Name / Address / Email / Phone \_\_\_\_\_

*small*

Defendant(s) Name / Address / Email / Phone \_\_\_\_\_

**JUDGMENT (Small Claims)**  Corrected

This matter was heard by the Court on this date. \_\_\_\_\_

Plaintiff(s) appeared  in person  failed to appear

Defendant(s) appeared  in person  failed to appear

**RECEIVED**

**Plaintiff Claim**

Justice of the Peace

Judgment is entered upon default  with hearing  without hearing

Judgment is entered upon agreement of the parties.

IT IS ORDERED granting judgment to:

Plaintiff(s)

\$ \_\_\_\_\_ Principal Amount

\$ \_\_\_\_\_ Accrued interest, if any

\$ \_\_\_\_\_ Court Costs

\$ \_\_\_\_\_ TOTAL

Defendant(s)

\$ \_\_\_\_\_ Court Costs

Judgment denied, as LLC must be represented by legal counsel and cannot get around the rules by filing in small claims.

With interest thereon at the rate of \_\_\_\_\_ % per annum on principal amount from the date of judgment until paid in full.

With interest on court cost of \_\_\_\_\_ % per annum from the date of judgment until paid in full.

IT IS ORDERED dismissing this claim  with prejudice  without prejudice

**Counterclaim**

Judgment is entered upon default  with hearing  without hearing

Judgment is entered upon agreement of the parties.

IT IS ORDERED granting judgment to:

Plaintiff(s)

\$ \_\_\_\_\_ Court Costs

Defendant(s)

\$ \_\_\_\_\_ Principal Amount

\$ \_\_\_\_\_ Accrued interest, if any

\$ \_\_\_\_\_ Court Cost

\$ \_\_\_\_\_ TOTAL

With interest thereon at the rate of \_\_\_\_\_ % per annum on principal amount from the date of judgment until paid in full.

With interest on court cost of \_\_\_\_\_ % per annum from the date of judgment until paid in full.

IT IS ORDERED dismissing this counterclaim  with prejudice

/s

Date: \_\_\_\_\_  Justice of the Peace  Hearing Officer

I CERTIFY that I delivered / mailed a copy of this document to.

Plaintiff at the above address

Defendant at \_\_\_\_\_

Date: \_\_\_\_\_ By \_\_\_\_\_ Signature

Certificate of Mailing  
County Justice Courts

Case Number:

I CERTIFY that I mailed/delivered a copy to:

Plaintiff at the above address

Plaintiff's Attorney

Garnishee

Defendant at the above address

Defendant's Attorney

Other

Date:

Clerk: