

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-337

Judge:

Complainant:

ORDER

November 21, 2025

The Complainant alleged a city court judge improperly testified in an employment termination appeal hearing.

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 November 21, 2025.

COMPLAINT AGAINST JUDGE

I am the former _____ for the _____ Court. I am an Arizona licensed attorney, bar number _____. As a former solicitor, my primary responsibilities were providing legal research, analysis and advice to the judges. (I attached my job description that was in force at the time of the incident described in this Complaint.) In addition, I am an _____ of the _____.

I am filing this complaint against Judge _____ for judicial misconduct. I believe that Judge _____ conduct violates the standards of conduct set forth in the Arizona Code of Judicial Conduct.

The acts that give rise to this complaint concerning Judge _____ conduct occurred on _____, at my employee termination appeal hearing (hearing). Previously, I rejected a one-year salary severance package, and then I was involuntarily terminated. Before being terminated, I was offered the option to resign but I refused to resign and instead chose to appeal the termination. The hearing was held on _____, and _____.

On _____, the following individuals were present at the hearing and heard Judge _____ testimony. Their names are _____, my advocate; Court Administrator; attorney _____, Assistant General Counsel; and attorney _____ Deputy General Counsel. Also, there were five persons sitting on the hearing panel. None of the panel are attorneys or _____ advocates. The _____ Human Resources recorded the entire hearing.

Background: During Judge _____ employment with _____ Court, he never informed me of any issue or concerns that he may have had about me. The first time I was made aware that Judge _____ possibly had anything negative to say about me was when I received the _____'s witness list and his name appeared on it. (See attached _____'s *Witness List*). At the hearing, it was the first time I heard Judge _____ make any allegation against me. Judge _____ resigned at the end of _____ and in _____ Judge _____ became the Presiding Magistrate for the _____ City Court. When Judge _____ testified at the hearing, it had been well over _____ years since he was a _____ Judge, and he had been a _____ judge for only about _____ years. Judge _____ was the only Judge that testified against me.

Judge _____ appeared and testified about an alleged incident involving me that occurred while he was a judge at the _____ Court. Judge _____ testified that he was contacted by _____ who is the _____ Assistant Court Administrator. Judge _____ testified that informed him that I appealed the employment termination, and as a result, _____ needed him to testify against me. Judge _____ appearance was voluntary. Under the _____ Administrative Policy _____ that governs termination appeals, there is no subpoena power to compel attendance by witnesses. (See attached Policy _____, pg. 9). Moreover, Judge _____ voluntarily testified in the hearing although Judge _____ previously failed to follow any formal or informal process to address the issue when it supposedly occurred.

On direct examination, Judge testified that he had been a judge for many years in various courts and was currently the Presiding Magistrate for the City Court. Judge testified that he had been a judge for years. Judge testified that the incident allegedly occurred while he was a judge at Court. Judge did not give a date the incident occurred. Judge stated that the incident occurred in the courthouse breakroom and that it was witnessed by a security guard. Judge testified that I confronted him while he was eating lunch in the breakroom. Judge testified that I flung open the breakroom door and demanded to know why he ruled the way he did in a juvenile case. Judge added that the juvenile case involved very serious allegations, and the case was under his consideration for transfer to the adult criminal court. Judge stated that after I left, the security guard stated I may know the kid/family or was having a bad day and that is possibly the reason for doing what I did.

On cross examination, Judge responded that after the incident supposedly occurred, he never informed nor complained about the incident to anyone that could have taken remedial/responsive or disciplinary action. Previously, during the hearing, former Chief Judge and former Acting Chief Judge and Judge testified that during their tenure as my supervisor, they never received any complaint or concern from anyone about my behavior. These persons were my past supervisors during the time Judge worked at Court. Chief Judge was also Judge supervisor.

While employed with the Judge was subject to Human Resources Administrative Personnel Policies, Judicial Rules of Conduct and was responsible for upholding laws and other applicable laws. The Rules of Judicial Conduct encourages a judge to take appropriate action if the judge believes that an advocate/attorney violated the Advocate Rules of Professional Conduct. (See attached Judicial Rules of Professional Conduct, Rule V.B.). The HR Administrative Policies provide various avenues both formal and informal for reporting employee misconduct and working toward resolution of any workplace issue. For example, Policy 1-4 *Chain of Command* anticipates and expects all employees to "...work within their Department's managerial framework and follow their respective chain of command..." (See attached Policies 1-4 *Chain of Command*, 2-15 *Dispute Resolution* & 11-1 *Hotline*).

During Judge cross examination, my advocate asked Judge whether he ever had any judicial complaints against him. Judge replied that he only had minor complaints filed against him. Then he gave an example of when a party was upset about the outcome of a hearing and the person complained about him. Next, my advocate asked Judge if he remembered a complaint involving Judge stated he did not recall any. My advocate dropped the subject and moved on.

My advocate dropped the subject because prior to the hearing, through an exchange of emails, we were informed that only documents submitted by the disclosure due dates would be permitted at the hearing. The due date for my witness list and documents was on and the 's due date was . Up until I had no indication that Judge had any issue or complaint about me and that he would appear at the hearing. Consequently, the Judicial Conduct Commission's public reprimand (document) in

Case No. _____ concerning Judge _____ could not be introduced. (See attached email confirming only previously submitted documents could be used at the hearing.)

I believe Judge _____ conduct prior to and during the appeal hearing constitutes judicial misconduct. Judge _____ conduct was judicial misconduct for the following reasons:

- At the time of the hearing, Judge _____ was the Presiding Magistrate for the City Court, and Judge _____ judicial duties take precedence over all of Judge's other activities. Judge _____ violated Canon 2, Rule 2.1. & Canon 3 Rule 3.1. and 3.3. Judge _____ voluntarily appeared for an administrative appeal hearing and testified about my character and events that supposedly took place well over _____ years ago with full knowledge that during his _____ Court employment he never raised any issue/concern and by failing to do so deprived me of any due process rights and protections. In addition, while employed as a _____ judge, Judge _____ was obligated to take appropriate action consistent with role as a judge and as an employee if he believed that my behavior was inappropriate but chose not to. Judge _____ violated Canon 1, Rule 1.2.
- During the cross-examination, Judge _____ testified that he had only minor complaints against him, and he gave an example of when a party was dissatisfied with his decision. However, in Case No. _____ the Commission on Judicial Conduct initiated, investigated and reprimanded Judge _____ Judge _____ chose to not tell the truth. Judge _____ violated Canon 1 Rule 1.2.
- During direct-examination, Judge _____ bolstered his testimony by saying another person, a security guard was present when the alleged incident occurred. Then Judge _____ testified that the security guard gave a possible reason for my alleged behavior was I was related to or knew the juvenile/family thereby implying I was trying to influence the judge for personal/family reasons. Judge _____ purposely employed tactics during his testimony to underhandedly impugn my character and this was improper. Judge _____ violated Canons 1 Rule 1.2. & 1.3.

End of Complaint

Submitted by

Attachments:

Job description

's Witness List

Administrative Policy _____, pgs. 1 & 9

Judicial Rules of Professional Conduct

Policies 1-4, 2-15, 11-1

Email exchange

signed:

Position Summary: Under the administrative supervision from the Chief Judge, provides legal review and advice to _____ (_____) Court. Through legal expertise with the _____ law and general principles of the law, provides research for the Court Judges, working to assist the Judges in resolving legal issues as they arise. Ensures that _____'s Constitution and applicable laws are followed, and that due process principles are applied to ensure the fair and reasonable administration of justice of the matters pending before the Court. Promotes the professional development of Court Staff and Judges by organizing training activities and collecting and distributing information on _____ Law and tribal law developments and best practices in _____ justice systems. **This job class is treated as FLSA Exempt and may be required to work evenings, weekends, and non standard work schedule.**

Essential Functions: Essential functions may vary among positions and may include the following tasks, knowledge, skills, abilities, and other characteristics. This list of tasks is ILLUSTRATIVE ONLY and is not intended to be a comprehensive listing of tasks performed by all positions in this classification.

Tasks:

1. Researches issues involved in criminal, civil and juvenile court litigation, court orders, protocol(s) and processes, and provide legal advice and recommendations to Judges in all related matters. Conducts legal research and analysis, as directed by supervisor. Researches legal documents as directed by supervisor, to ensure the fair and reasonable administration of justice as provided for by the _____'s Constitution, the _____ Act and other applicable law. Reviews laws, rules, regulations and related legal documents as directed.
2. Review files and advises Judges of legal issues that may come before the court. Provides legal guidance on related matters that come before the _____ court, using _____ and other applicable laws and principles of law and due process. May draft legal documents and administrative polices.
3. Ensures continued communication with Judges, Court officers, and other staff as appropriate. Works with the Chief Judge and Court Administration in reviewing and improving court policies procedures, forms and operations as assigned.
4. Assists in preparation of legal and technical correspondence for officers of the Court and other individuals as directed by supervisor.
5. Develops forms and other systems to ensure consistency, efficiency, and transparency in the work of the Court.
6. Administers the system for admitting practitioners to the Court and promotes professional interaction among the Court's staff and practitioners including the development of a Code of conduct for judges, attorneys, and advocates.
7. Serves as a liaison for the Court (on legal issues) with the _____'s Office of the General Counsel and other legal offices.
8. Serves as a facilitator and assists the Chief Judge in management of the _____ Court Rules Committee and completes all assigned tasks related thereto as directed by supervisor.
9. Oversees and supervise the subordinate court solicitor.
10. Identifies and conducts relevant training (both internal and external) for _____ court judges and court staff at the request of the Chief Judge and/or Council.

11. Performs other job related duties, as assigned, that enhance and facilitate departmental operations.

Knowledge, Skills, Abilities and Other Characteristics:

- Knowledge of laws, ordinances and regulations of _____ and applicable state and federal laws and general principles of law.
- Knowledge of legal research methods, legal research software, use of databases, legal principles and their applications.
- Knowledge of case law appropriate to the issues and cases being prepared.
- Knowledge of principles and practices of legal profession.
- Knowledge of _____ policies and rules relating to _____ and its entities.
- Knowledge of applicable Federal and State laws, rules, regulations and policies.
- Knowledge of the history and customs of the _____

- Skill in work management.
- Skill in applying and interpreting statutes, ordinances and other laws, rules, regulations and policies as they pertain to legal issues presented for review.
- Skill in oral and written communication.
- Skill in establishing and maintaining effective working relationships with _____ administrators, Department Directors, _____ Members, staff and other members of the _____ as well as outside entities.
- Skill in legal writing and presentation.

- Ability to perform legal research, analyze difficult and complex legal problems and apply legal principles and precedents.
- Ability to present statements of fact, law and argument clearly and logically in both written and oral form.
- Ability to communicate orally, and in writing, with Judges, administrative staff, _____ members, department directors, members of the general public, outside entities, and co-workers.
- Ability to produce written documents with clear organized thoughts, using proper sentence construction, punctuation and grammar in a timely manner, both with law judges and legally-trained professionals.
- Ability to work cooperatively with others.
- Ability to analyze and aid in drafting and commenting on proposed legislative measures.
- Ability to handle legal correspondence as directed by supervisor

Qualifications:

- **Education & Experience:** A Juris Doctorate degree from an accredited law school, with a minimum of seven years attorney experience, with three of the seven years practicing before or working in a tribal, state or federal court setting.
 - Demonstrated experience in _____ law is required.
 - Preference given to candidates with prior judicial experience, either as Judge or Judicial Clerk, in a legal capacity.
 - Must be admitted and in good standing with a _____ preferably the Arizona and be admitted in Federal District Court, if needed.
 - Must not have any prior felony convictions, prior misdemeanor convictions in any jurisdiction within the last seven (7) years, and any disbarment or current suspension from any other tribal, state or federal courts.
 - Must attend a minimum of 15 hours annual continuing legal education as related to job and approved by supervisor.

**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.**