

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-340

Judge:

Complainant:

ORDER

A superior court commissioner self-reported a delayed ruling 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 Commission approved sending the judge an advisory letter reminding of the duty to issue rulings timely under Rules 1.1 and 2.5(A) of the Code of Judicial Conduct, along with Art. 2, §11, and Art. 6, §21 of the Arizona Constitution. The complaint is therefore dismissed pursuant to Commission Rules 16(b) and 23(a).

Commission members Roger D. Barton and Delia R. Neal did not participate in the consideration of this matter.

Dated: October 3, 2025

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on October 3, 2025.

Attachments: [image001.png](#)

From:

Sent:

To

Subject: Self Report Of Delayed Ruling in

Arizona Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, AZ 8500

Re: Delayed Ruling in _____ vs. _____

To Whom it May Concern,

This letter is to self-report that on _____, I discovered I issued a ruling beyond the sixty-day timeframe.

On _____, I issued an Under Advisement Ruling in _____ which modified the parenting plan and ordered an award of attorney fees to the Petitioner in an amount to be determined following the Petitioner's filing of a *China Doll* and any objection from the Respondent. The Respondent timely filed a *Notice of Appeal* of my order granting the Petitioner's request for attorney fees. On _____, Division _____ issued an order staying the appeal and revesting jurisdiction to the superior court to either resolve the pending issue of the attorney fees or to issue the ruling pursuant to Rule 78(b). On _____, _____ from the _____ County Superior Court provided the Division _____ order to my judicial assistant who then provided it to me on _____. I issued a Corrected Under Advisement Ruling on _____ that contained the corrected Rule 78(b) language. We then held the final order for the amount of the attorney fees award pending the outcome of the appeal. On _____, Division _____ issued an order vacating the stay and dismissing the appeal. The order dismissing the appeal was not received by my judicial assistant nor myself.

On _____, my judicial assistant double checked the status of the appeal in _____, as we were still holding the ruling on the attorney fees award until the appeal was dismissed. On _____ my judicial assistant alerted me that the appeal had been dismissed and I was able to issue my ruling for the amount of the attorney fees award. I reviewed the Petitioner's attorney fees request and entered and signed my order this same day. I noticed the date of the Division _____ order of dismissal and asked my judicial assistant if

we had ever received it. She confirmed we had not, and alerted me that she often does not receive the emails for many of my appeals and instead receives the notices and orders from our clerk, as she did with the _____ order noted above. At that point, I requested my judicial assistant contact the clerk at _____ to confirm that they have her email address so that we can ensure we receive notice directly. My judicial assistant submitted a request to Division _____ to alert them that we are not receiving their emails and requested instructions on how to have her email added for actual notification.

I reviewed AJACS to see when our clerk's office received and processed the order and was able to determine that the order was processed by our clerk's office on _____ at _____. I was able to also determine that the order was not sent to my division via email per the normal protocol. I have also contacted our clerk to alert her of the issue.

Based on the foregoing, the ruling was due on _____ and was issued on _____. I have not signed a salary certification between _____

Sincerely,
Commissioner