

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-409

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Judge:

Complainant:

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**ORDER**

A superior court commissioner self-reported a delayed ruling in a criminal matter.

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, and A.R.S. §12-128.01, relating to payroll and certifications of compliance. 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](#)

25-409

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**From:**

**Sent:**

**To:**

**Subject:** Comm. Self-Report

Good afternoon:

I am a Commissioner in County Superior Court. This is a self-report of a matter that was assigned to me for more than 60 days without a decision.

On , in . v. , Defense counsel filed a Notice of Defendant's Intent to File a Rule 32 Petition for Post Conviction Relief Motion to Appoint Counsel. Defense Counsel also provided a draft Order. I signed the draft Order on . Unfortunately, the draft Order only withdrew prior counsel. It did not appoint PCR counsel.

On , I reviewed the file in preparation for a disposition hearing regarding a violation of probation. I saw the Motion to appoint PCR counsel had not been acted upon. That same day, I issued an Order appointing PCR counsel, ordering preparation of transcripts, and scheduling an internal review. My , Order is a delinquent decision.

I am aware that Code of Judicial Conduct Rule 2.5 requires that I perform "judicial and administrative duties competently, diligently, and promptly." I am also aware the comment to Rule 2.5 requires that I "seek the necessary docket time, court staff, expertise, and resources to discharge all adjudicative and administrative responsibilities. . ." I am further aware that "[a] judge should monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs."

I have handled over post-conviction relief matters as a commissioner, and this is the only time that I have made this kind of a mistake. I currently have a system of monitoring post-conviction relief matters in a separate spread sheet, that I check weekly. I schedule internal reviews each step of the way along the process. I have also discussed the importance of monitoring post-conviction relief cases with my judicial assistant. I do not believe this kind of a mistake will happen again. It appears that when I signed the draft order, accompanying the Motion to Appoint Counsel, I assumed that the Order appointed counsel. I should not have made assumptions about the draft order. I should have been certain that I had appointed counsel as requested. I should

also have scheduled an internal review to make sure that PCR counsel was appointed, and transcripts were prepared. This was a very unfortunate oversight on my behalf, which I will work diligently to avoid repeating.

Thank you,

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