

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-410

Judge:

Complainant:

ORDER

October 24, 2025

The Complainant alleged a pro tem municipal court judge engaged in ex parte communications.

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).

Commission member Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 24, 2025.

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

FOR OFFICE USE ONLY

2025-410

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.

On [] at [] hours, I, Officer [] ([] Police), was subpoenaed to [] Municipal Court for the previously listed case. This case was reference a civil speed violation captured via Lidar. Upon my arrival to the courtroom, the defendant ([]) and her Attorney ([]) were already in the courtroom. I noticed (which is unusual) that the Judge ([]) was also already in the courtroom. I have been an Officer for [] years and teach many classes at the [] Police Department (to include Courtroom Testimony, Police Lidar instructor, Police Moving Radar instructor). I have testified in over 100 civil court hearings and normally recognize the judges, even the ProTems. I had never sat before [] but hoped she would be "Fair and Impartial." I began my testimony with my training and experience and moved to testify to what I observed. I explained that I visually observed the defendants vehicle travelling at 62mph in a 45mph zone, I verified the speed via Lidar at 61mph in a 45mph zone, and then conducted a traffic stop. I explained to the driver the reason for the stop to which she did not deny. I cited the driver based upon the speed not being reasonable and prudent for the conditions. I testified in court that it was morning rush hour traffic, there was heavy traffic as well as pedestrians running, jogging, and walking dogs, and additionally the road was merging into a contsrucion zone. I then submitted several pieces of evidence to include my Lidar certifications, the CAD call for service, and all body worn camera footage. I explained that the device issued to me was working properly and that I conducted a function test at the beginning and end of my shift and the device is not "self repairing" meaning if it worked at the beginning and end it could not have broke and fixed itself. I then spoke about how my device has passed every annual calibration inspections and there is nothing showing my device is not operable. I ensured I met all burdens of proof related to stating the Date, Time, Location, Jurisdiction, Identifying the driver on scene and in the courtroom, and speakig about the violation. The attorney, who I later learned was also a [] County [] Court ProTem iudce. did not have anv questions for me and his testimony was []

The judge then asked me if I had any rebuttal and I more clearly explained that it was early morning rush hour traffic, heavy traffic flow, multiple pedestrians, and that the statute clearly states "actual and potential hazards." In addiion, the legal presumption is that anything over the speed limit is speeding by legal definition. The judge replied by saying while I was under oath testifying I did not elaborate on how it was not reasonable (which is not true) and then said I did a good job elaborating in my rebuttal but that did not count (which is also not true). She found the driver "Not responsible" which I am not arguing. I do not object to the judges decision, I object to wether she made the decision ethically. The buden of proof in civil hearings is preponderance of the evidence and I provided all necessary evidence and the defense did not submit any evidence to refute. In all the civil traffic hearings I have testified in, I have only seen two or three attorneys represent drivers. I feel this case was judged impartially due to the judge and attorney/judge knowing eachother.

I later asked the court clerk if [] and Attorney/Judge [] had conversation before I arrived in the courtroom and he said they did. I have reason to believe [] did not uphold her oath by being fair an impartial and made a decision based on her relationships and/or status. I have filed a complaint with the Municipal Court but also am requesting the Commison review this case.

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