

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-518

Judge:

Complainant:

ORDER

February 20, 2026

The Complainant alleged a justice of the peace had a conflict of interest and was biased in admitting evidence in a civil 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 does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. 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 February 20, 2026.

2025-518

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.

Pursuant to Arizona rule of civil procedure 42.1(c) and rule 2.11 of the Arizona code of judicial conduct, of direct conflict of interest. Judge _____ was previously employed as a prosecutor with the County Attorney's Office and was involved in the decision not to pursue criminal charges against the Defendant for the exact same hit-and-run incident that is the subject of the lawsuit that he was a presiding judge on. This prior official involvement was not disclosed to the plaintiff. A civil action for damages arising from a hit-and-run automobile accident caused by the Defendant was brought about. Following the hearing, on _____ plaintiff discovered that judge _____ was involved in the review of the criminal investigation related to this matter and the prosecution of the defendant in the same hit-and-run incident was dropped. At no point during the hearing on _____ or at any other time, did Judge _____ disclose this prior involvement to Plaintiff, where "the judge has a personal bias or prejudice concerning a party or party's lawyer, or personal knowledge of facts that are in dispute in the proceeding." Rule 2.11(A)(1). The Arizona Supreme Court has emphasized that justice must "satisfy the appearance of justice." *State V. Latigue*, 108 Ariz. 521, 522 (1972). Here the judge previously acted as the State's advocate in a matter involving the same parties and the same operative facts. In that role the judge made a dispositive decision in the Defendant's favor (i.e., not to prosecute). A reasonable person would question whether a judge who previously absolved the defendant of criminal Liability could then preside with absolute impartiality over a civil trial seeking to impose civil liability for the Very same conduct. This creates an undeniable appearance of impartiality that the Rule 2.11 is designed to prevent. The Judge _____ also during trial on _____ would not allow the plaintiff to introduce supporting evidence for his case as he made ruling against the plaintiff and for the defendant and his excuse was that the plaintiff did not introduce any evidence and also he did not look at the evidence that was presented to him. He only went by the defendant's attorney information that was given to the court and made up excuses to not accept the evidence from the plaintiff. This plaintiff prayer is that the justice prevails.

Thank you.