

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-595

Judge:

Complainant:

ORDER

February 20, 2026

The Complainant alleged a superior court hearing officer failed to provide ADA required accommodations.

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 February 20, 2026.

Comp

25-595

Attachments: [Court Observer Witness Statement.pdf](#)

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>;

Cc:

Subject: Fwd: Case No.:

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From:

Date:

Subject: Re: Case No.:

To:

Cc:

EMAIL TO THE COUNTY ADA OFFICE / COURT ADA COORDINATOR

Subject: ADA Civil Rights Complaint – Failure to Provide Mandated ADA Accommodations in Case (Active at Time of Violations)

Good afternoon,

I am submitting this notice to the County ADA Office regarding a serious ADA Title II violation committed by the County Court in connection with Case No. , judicial officer Hon. on .

I am attaching MY formal Court Observer Witness Statement submitted by myself

“ , which was dismissed by the County ADA with the response:
.”

This response is unlawful and does NOT eliminate the court’s ADA compliance obligations for the following reasons:

1. ADA Obligations Apply Regardless of Case Status

Under Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131–12134), a court must comply with ADA accommodation requirements during any point in which a litigant is interacting with or participating in court proceedings, including:

During hearings

During appeals

During protective-order proceedings

During any period where a party is actively engaged in court processes

On the date the violations occurred (), the case was active.
Thus, ADA compliance was mandatory at the time and cannot be retroactively dismissed.

2. ADA Title II Regulations Violated

The court violated the following provisions:

28 C.F.R. § 35.160(a)(1)

Courts must provide effective communication with individuals with disabilities in all programs and proceedings.

28 C.F.R. § 35.160(b)(1)

Courts must provide necessary auxiliary aids and services, including:

Captioning

Communication access

Assistive participation through an advocate

28 C.F.R. § 35.160(b)(2)

Courts must give primary consideration to the person's requested accommodation.

28 C.F.R. § 35.130(b)(1)(iii)

A public entity may not use criteria or methods of administration that have the effect of defeating or impairing the person's rights.

28 C.F.R. § 35.149–35.151 – Program Access Requirements

Arizona State Equivalent:

Ariz. R. Civ. P. 9(i)

Courts must provide accommodations and ensure equal ability to participate.

3. Denial of ADA Advocate – Direct Violation

The witness statement confirms that:

The ADA advocate was initially denied entry.

Once admitted, the advocate was prohibited from speaking, even in a supportive or assistive capacity.

The judge ignored all ADA accommodation requests.

This directly violates Title II of the ADA and 28 C.F.R. § 35.160, which obligates courts to permit necessary communication assistance.

4. Retaliatory or Dismissive “ ” Response is Prohibited

The ADA prohibits retaliation and discouragement under:

28 C.F.R. § 35.134(a)

No public entity may intimidate, threaten, coerce, or retaliate against anyone attempting to secure ADA accommodations.

Dismissing a legally-valid complaint with “ ” is not legally permissible and constitutes:

Failure to acknowledge a civil rights complaint

Failure to investigate

Improper attempt to avoid federal ADA liability

5. Federal Penalties Apply

Per 42 U.S.C. § 12188(b)(2)

Civil penalties for public entities are:

\$75,000 for the first ADA violation

\$150,000 for each subsequent violation

The violations in this case include:

Denial of effective communication

Denial of ADA advocate participation

Failure to consider accommodation requests

Improper dismissal of ADA complaint (“ ”)

Retaliatory discouragement by refusing to process the complaint

Each constitutes a distinct chargeable violation.

6. Request for Immediate Action

I respectfully request:

- (1) Formal ADA investigation into the conduct of Courtroom on
- (2) Assignment of an ADA complaint case number
- (3) Written confirmation that witness statements submitted under ADA protections will be processed
- (4) Instructions for submitting this complaint to:

, Civil Rights Division

Arizona Attorney General – Civil Rights Section

County ADA Coordinator

Arizona Commission on Judicial Conduct

() ADA Compliance Unit

Please provide:

The designated ADA Coordinator’s name

The intake form (if required)

The timeline for investigation

7. Attached Evidence

Court Observer Witness Statement (submitted previously, ignored)

On

wrote:

Good afternoon,
I’m in receipt of your statement, but his case is closed.

Thank you,

From:

Sent:

To:

**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.**