

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 26-043

Judge:

Complainant:

ORDER

April 14, 2026

The Complainant alleged a justice of the peace was unfair and did not follow procedure in a civil 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 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 Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 14, 2026.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2026-043

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.

I am submitting this complaint to raise a concern about procedural fairness and consistency between written court instructions and courtroom practice in a small claims matter. My intention is not to challenge the outcome of my case, but to highlight how the process as applied appeared to disadvantage a party who followed the written rules while benefiting a party who did not.

Prior to the hearing, I received a written hearing notice from the court stating that parties could only present evidence that had been previously served on the opposing party. As a self-represented litigant, I relied on this instruction when preparing my case and limited my evidence to materials that had been properly served in advance.

The hearing was held on . During the hearing, the defendant was permitted to submit materials that had not been served on me beforehand. When I objected, the judicial officer explained that because this was small claims court, flexibility would be applied and the materials would be accepted.

This created an uneven situation in which the party who did not comply with the written service requirement was allowed to benefit from introducing new materials, while the party who relied on and followed the written instructions was disadvantaged. Had the hearing notice indicated that unserved materials would be accepted, I would have brought and submitted additional documentation as well. In addition, during the defendant's final statements at the hearing, a factual assertion was made that I believe was inaccurate. Because this assertion was raised at the end of the hearing, I did not have an opportunity to respond or correct it. The written judgment was not issued until approximately weeks after the hearing. I later raised concerns about these issues in post-judgment motions, which were denied.

I understand that small claims proceedings are intended to be informal and that judges have discretion to relax evidentiary rules. My concern is not directed at the judge personally, but at how written court instructions set clear expectations for litigants, while the actual courtroom practice appeared to protect the party who did not follow those instructions and disadvantage the party who did.

I am submitting this complaint in the hope that it may assist in reviewing whether hearing notices, procedural guidance, and courtroom practices can be better aligned so that self-represented litigants are not placed at an unfair disadvantage for relying on the court's written rules.

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