

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 26-099

Judge:

Complainant:

ORDER

April 24, 2026

The Complainant alleged a municipal court judge failed to provide ADA 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 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 Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 24, 2026.

Comp

26-099

Attachments: [REDACTED BLURRED LEGAL SLEEP DR_OCR copy.pdf](#)
[IMG_8480 REL ORDER_OCR.pdf](#)
[EMERGENCY MOTION FOR CONTINUANCE AND ADA ACCOMMODATION.pages copy 2.pdf](#)
[Prosecutor's Office REQ FOR DISC NO CASE NUMBER COPY_OCR.pdf](#)
[EXHIBIT 38 THREE-MESSAGE EMAIL THREAD_OCR.pdf](#)

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Subject: COMPLAINT AGAINST A JUDGE [AND COURT]

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Arizona Commission on Judicial Conduct

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COMPLAINT FORM FIELD GUIDE

Field	Entry
1. Name	
2. Mailing Address	
3. Telephone	
3. Email	
4. Judge's Name	The Honorable Judge
4. Location	Municipal Court,
5. Court	Municipal (check box)
6. Did you have a case	Yes

before this
judge?

6a. Is the case
still pending? Yes

6b. Case name
and number State of Arizona v Case No.

6c. Attorneys
in the case , Assistant City Prosecutor, r City Prosecutor's Office
(;); No defense counsel;
Defendant appearing *in propria persona*

(present at , Prosecutor's Office visit);
Municipal Court ADA Coordinator (to verify accommodation
6d. Witnesses request chain); Municipal Court Clerk staff (to verify records, **lack**
thereof from Complainant, of , and ,
proceedings)

7. Yes (I understand the Commission cannot reverse court orders or assign a
Understanding new judge to a case)

COMPLAINT AGAINST A JUDGE

Complainant:

Judge: The Honorable Judge

I. SUMMARY OF MISCONDUCT ALLEGATIONS

This complaint alleges that Judge , presiding over Case No. in the
Municipal Court, violated the [Arizona Code of Judicial Conduct \(Rule 81, Rules of
the Supreme Court, amended January 1, 2025\)](#) and the [Arizona Code of Judicial
Administration, Section 1-203](#) (Access to Court Services by Individuals with Disabilities),
through a pattern of conduct spanning from , through ,
consisting of:

1. **Disability-based bias** manifested through on-the-record characterization of disability-
affected speech as " " (Rule 2.3(B));
2. **-day constructive denial of physician-mandated ADA accommodations**
(Rules 1.1, 2.5(A); ACJA Section 1-203(D)(3));
3. **Conflation of ADA Title II accommodations with the Sixth Amendment right to
counsel** (Rule 2.5(A));
4. **Failure to ensure the right to be heard** through conduct of a fully oral hearing without

providing requested written communication accommodations to a qualified individual with a disability (Rule 2.6(A)); and

5. **Issuance of a void *ab initio* release order** based on documents examined *ex parte* and never disclosed to the Defendant (Rules 1.1, 2.2, 2.9).

II. THE DISABILITY AND ACCOMMODATION REQUEST

1. Complainant is a Qualified Individual with a Disability within the meaning of ADA Title II (42 U.S.C. Section 12132). Complainant has been diagnosed with (ICD-10: G47.419), a neurological condition that impairs linear information processing under stress, causes episodes of selective _____, and renders real-time oral advocacy unreliable.
2. On or about _____, Complainant submitted a formal ADA accommodation request to the _____ Municipal Court via email to _____. The request specified the Defendant's name (_____), date of birth, and the AZPOINT number. The request sought written communication protocols, including permission to submit all substantive arguments via written declaration rather than oral argument.
3. On _____, the Court responded by email, stating the request " _____ " specifically claiming " _____ " This response was objectively false: the name and date of birth had been explicitly provided in the submission sixteen hours earlier.
4. On or about _____, Complainant obtained a formal Medical Certification from _____ (_____), mandating written-only communication as a reasonable accommodation.
5. On or about _____, Complainant submitted an Emergency Motion for Continuance that included both the ADA accommodation request and the physician certification. The continuance was granted. A new pretrial conference was set for _____.
6. Between _____, and _____, the Court did not acknowledge, address, or rule upon the ADA accommodation request. No interactive process was initiated. No ADA Coordinator contacted Complainant. No written ruling granting or denying the accommodation was issued.

III. THE _____, PRETRIAL CONFERENCE

A. Failure to Provide Accommodations

7. On _____, Complainant appeared for the pretrial conference before Judge _____. The hearing was conducted entirely orally, without any of the requested written communication accommodations being in place.
8. No written materials were provided to the Complainant before or during the hearing. No permission to submit written declarations was granted. No extended response time was offered. The Court proceeded as if no ADA request had been made, despite the Medical Certification being part of the Court's own file.

B. Characterization of Disability-Affected Speech as "Rambling"

9. During the _____, hearing, at approximately [_____] on the Court's official audio recording, Judge _____ characterized Complainant's oral statements as "_____." This characterization was made on the record, in open court.
10. Complainant's speech patterns during the hearing were a direct, predictable, and medically documented consequence of _____. The medical certification in the Court's file specifically identifies impaired linear processing under stress as a symptom requiring accommodation. By characterizing the symptom of an unaccommodated disability as a performance deficiency, the Court manifested bias based on disability.
11. This characterization satisfies the definition of bias under [Rule 2.3, Comment 2](#): "Examples of manifestations of bias or prejudice include but are not limited to... **negative stereotyping**... threatening, intimidating, or hostile acts... A judge must avoid conduct that may reasonably be perceived as prejudiced or biased." Comment 3 further defines harassment as "verbal or physical conduct that denigrates or shows hostility or aversion toward a person on bases such as... **disability**."
12. The term "_____" is a pejorative characterization of a symptom the Court had constructive knowledge was caused by a _____ disability. It is the functional equivalent of characterizing a wheelchair user's mobility as "shuffling" or a hearing-impaired litigant's repetitive questions as "not paying attention." It denigrates the person on the basis of their disability.

C. Conflation of ADA Accommodations with Right to Counsel

13. During the same hearing, at approximately [_____] on the Court's official audio recording, Judge _____ responded to Complainant's accommodation-related statements by referencing the appointment of counsel. The Court appeared to treat the request for ADA accommodations as a request for legal representation, or as a problem that appointed counsel could solve.
14. ADA Title II accommodations and the Sixth Amendment right to counsel are separate and independent legal frameworks. An ADA accommodation is a modification to court procedures to enable equal participation by a person with a disability. Appointment of counsel is a constitutional protection in criminal proceedings. The suggestion that one substitutes for the other reflects a fundamental misunderstanding of both and demonstrates incompetence in the administration of disability accommodations. See [ACJA Section 1-203\(D\)\(4\)](#): courts must "[p]rovide duty-specific training to employees as to how to reasonably accommodate individuals with disabilities."

D. Designation of Violent Parolee as "Victim"

15. During the _____, hearing, Judge _____ revealed, for the first time on the record, that the State has designated _____ - the Complainant's childhood abuser and a convicted violent felon on active parole (_____) - as the "victim" in this prosecution.
16. This revelation occurred two days after the _____ Prosecutor's Office, through its own intake staff, explicitly told the property owner, _____, on _____, _____, that Complainant was "_____." Audio recordings of this statement exist (Recordings 1888/1889, made pursuant to A.R.S. Section 13-3005).

17. While the Commission lacks jurisdiction over prosecutorial decisions, the Court's acceptance of this designation without independent inquiry - in a case where the Defendant was the documented victim of the designated "victim's" assaults (PD Reports , No.) - raises questions about the Court's compliance with Rule 2.2 (Impartiality and Fairness).

IV. THE , RELEASE ORDER

18. On , Judge issued a Release Order in Case No. . The Order contains the following statement:
19. Complainant was never provided with: (a) a copy of the arresting officer's statement; (b) a copy of the release questionnaire; (c) an opportunity to review these documents before the release hearing; (d) an opportunity to contest the contents of either document; or (e) an opportunity to be heard regarding the sufficiency of the probable cause showing.
20. The Release Order thus rests upon an *ex parte* examination of documents that were never disclosed to the Defendant. This violates the minimum requirements of procedural due process under *Mathews v. Eldridge*, 424 U.S. 319 (1976) (requiring notice, opportunity to respond, and a neutral decision-maker), and *Morrissey v. Brewer*, 408 U.S. 471, 489 (1972) (right to know and contest evidence).
21. While this may constitute a legal error subject to appellate review, the Commission's jurisdiction extends to whether the judge's conduct in examining undisclosed documents and issuing findings based upon them - while the defendant was denied any opportunity to review, challenge, or respond to those documents - constitutes a violation of Rule 2.9 (Ex Parte Communication) and Rule 1.1 (Compliance with the Law).

V. PATTERN OF CONDUCT: THE 364-DAY TIMELINE

22. The ADA violations described herein are not isolated. They form a continuous -day chain of constructive knowledge and deliberate indifference:

No.	Date	Event	Court Response
1		Formal ADA accommodation request submitted via email to Included defendant name, DOB, AZPOINT number.	: False denial claiming " " provided. Request misclassified as a court "filing" rather than an ADA accommodation request.
2		Medical Certification from () mandating written-only communication.	No acknowledgment. No interactive process initiated.
3		Emergency Motion for Continuance filed, incorporating both the ADA	Continuance granted. ADA request ignored. No ADA Coordinator contact. No written

**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.**