

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-051

Complainant: Commission

Judge: Caryl Parker

ORDER

After reviewing the response filed by Judge Parker, the commission finds that the justice of the peace in this case violated the Code of Judicial Conduct.

Rule 1.2 of the code requires judges to promote confidence in the judiciary through their actions, and Rule 2.8 requires judges to maintain an appropriate demeanor, consistently demonstrating patience, courtesy, and dignity. In this case, the judge made derogatory statements toward a litigant who was also a hearing officer and toward another member of the justice court bench. Because the judge had previously received a strongly worded warning letter cautioning her against such intemperate statements, and her response failed to acknowledge any misconduct, the commission determined that the judge engaged in ethical misconduct warranting an informal reprimand.

Accordingly, the judge is hereby reprimanded for her conduct pursuant to Rule 17(a), and the record in this case, consisting of the complaint, the judge's response, and this order, shall be made public as required by Rule 9(a).

Dated: July 26, 2011

FOR THE COMMISSION

/s/ Louis Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed
to the complainant and the judge
on July 26, 2011

This order may not be used as a basis for disqualification of a judge.

MAR 23 2011

March 20, 2011

Jennifer Perkins
Staff Attorney
Administrative Office of the Courts
1501 W. Washington St.
Phoenix, Arizona 85007

Re: Case Number 11=051

Dear Ms. Perkins:

Thank you for the opportunity to respond to the above numbered Complaint. Be advised, however, that the described incident apparently occurred a year ago and I have no independent recollection of that hearing. At the time it evidently took place, I can tell you that I had been presiding over photo enforcement hearings for almost three months straight, every day, all day.

It is quite impossible to describe the hostility, antagonism and belligerence I faced at every trial. Most, if not all, of the defendants expected that their cases would be dismissed immediately and I had to explain for the record every time why that was not going to happen. I imagine that to hear one of our Court Hearing Officers try to present that same invalid defense would have been upsetting. I wish to apologize, as the officer was apparently upset, but that was certainly not my intention. I guess he didn't believe my explanation, either. When I explained to each of the defendants that their constitutional arguments were without merit, I was speaking to the room, so that I would not hear the same defense from every one. That strategy didn't work, either.

I do wish to add that Judge Keegan's actions were a disservice to all of us who were working extremely hard to deal with the two-year backlog of cases there at the Downtown Justice Courts. His decision was without any merit. I did extensive research before I started that assignment. I also conferred with several other Judges and JP's. Not one of them expressed agreement with his position. Photo enforcement trials continue to the present in the City Courts.

In conclusion, I apologize again that I evidently upset the complainant. Never again will I volunteer for a task so thankless, although, we did clear out the backlog. It only took five months of solid trials.

Sincerely,

Caryl Parker
CKP:mos