

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-140

Judge:

Complainant:

ORDER

A superior court commissioner self-reported a delayed ruling.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After review, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. The commission approved sending the commissioner an advisory letter reminding him of his obligation to rule promptly under Rule 2.5(A), and to implement procedures to avoid similar delays in the future. The Commission's file in the matter was closed, pursuant to Rules 16(b) and 23(a).

Commission members Art Hinshaw, Roger D. Barton and Margaret H. Downie did not participate in the consideration of this matter.

Dated: August 22, 2017

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all appropriate persons on August 22, 2017.

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

Self-Report Ltr

2017-140

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

RE: Self-report of ruling made later than 60 days
Rules of the Supreme Court 91(e) and Code of Judicial Conduct Rule 2.5(A)

I am writing to advise you that in
upon late.

I had a case under advisement that was ruled

The case is
on the issues of contempt and sanctions in a
The ruling was issued earlier today

A hearing was held on
The ruling was due

At the time that the issue was taken under advisement I was without a judicial assistant and was receiving assistance from different personnel filling in to help. This case never made it onto the under advisement listing maintained in the division. It slipped through the crack. The Clerk's office notified the division today that this ruling was past due and I completed the task.

While I don't believe the additional after the ruling was due worked to the harm of any of the parties, the delay was unnecessary. For this I take full responsibility.

I now have a full time temporary judicial assistant that is keeping me on top of these and other matters and have hired a permanent judicial assistant

Thank you for your consideration of this matter and please accept my apologies for having to take your time to address my oversight. If you need anything additional regarding this matter, please let me know.

Sincerely,

cc: Hon.

Presiding Judge