

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-236

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner made inappropriate comments during a protective order proceeding and improperly dismissed an order of protection. The commission's investigation also revealed allegations that the commissioner had prejudged a litigant's credibility.

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 that the commissioner made comments at the outset of the proceeding showing he had prejudged a litigant's credibility. While this was improper under Rules 1.2, 2.2, 2.3, and 2.11(A)(1), the Scope Section of the Code of Judicial Conduct provides that it is not intended that every transgression will result in the imposition of discipline. The commission decided, after considering all the facts and circumstances, to dismiss the complaint pursuant to Rules 16(b) and 23(a), but to issue a warning letter to the commissioner to avoid making statements about a litigant which cast doubt on his impartiality in a case, and to recuse in cases in which his impartiality might reasonably be questioned.

Dated: January 31, 2018

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on January 31, 2018.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2017-236

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.

SEE ATTACHMENT-TRANSLATION FROM SPANISH TO ENGLISH

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TRANSLATION OF DECLARATIONS OR STATEMENTS OF FROM SPANISH
LANGUAGE INTO ENGLISH LANGUAGE

I further declares and states directly to the Presiding Judge whose name is
Of the By causing pain and suffering and physical and
creating and personal life and difficult in life. Maybe and seeing the difficult has cause me on this given
matter and trial proceedings. All of this has happened and cause enough pain and suffering because he
is a Judge who is hearing the matter. Just because he sits on the bench and deciding the innocence of
the person before him in the court of law furthermore how many persons he has caused on daily basis
and court proceedings. On the Judge of the issued a protective
order against The Court had enough evidence and
later my answer with a response of the protective order that was issued.

We both were summon to appeared in court and the dismiss the
Protective Order that was issued. My was just laughing and just seeing that the matter was
favorable for I just heard that the matter and the proceedings at the court hearing was
against me that cause me to be hurt and very painful in which all of this was overturned.

On or about _____ I Petition to the Court an Protective Order against _____
 The Order was effective for only _____ It was issued by the _____ of _____
 the _____ When interview and was told that there was enough evidence to
 issued an order. On or about _____ we were sommon to appeard in court because a
 response or answer by _____ I further states that another Judge whose name is
 The Honorable Judge _____ I _____ was so scared and very nervous I walk to the
 elevator and the _____ told me _____ that hearing was not with Judge _____ out the Judge
 that was hearing the matter was Judge _____ I felt that my head felt like an esposion and the matter
 again was in session on the _____ We were given time to response on various questions by the
 _____ udge _____ on the matter that was on calendar. I notice that Judge _____ ignored and notice
 or planning something against me. When _____ poke started to insult me and making
 false accuation against me .

On _____ when the matter was on calendar . I had _____ at the
hearing and they did notice that the _____ did permit that _____ to
insult me in the court . The _____ wanted to know all the people present and I reply
that they were my witness base on court proceedings in which the matter was on calendar. The
following persons were present at the hearing whose names are: ↑