

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-287

Judge:

Complainant:

ORDER

The complainant alleged a pro tem justice of the peace was incompetent, retaliated against her, failed to be fair and impartial, and failed to report attorney misconduct in an eviction proceeding.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge 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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Commission members Art Hinshaw and Anna Mary Glaab did not participate in the consideration of this matter.

Dated: December 20, 2017

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie

Executive Director

Copies of this order were distributed to all appropriate persons on December 20, 2017.

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

2017-287

COMPLAINT AGAINST A JUDGE

Name: [redacted] Judge's Name: [redacted]

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.

This Judge is incompetent in that he lacks appropriate substantive law knowledge to properly preside over cases that are before him.

The pro se litigant knows more about the law than he does in the area of landlord tenant.

The pro se litigant had had a [redacted] prior to the trial and refused to consider her jury instructions when they were not brought to the court the day before the trial, due to her extremely limited ability to function without a lot of rest.

The judge gave wholly inaccurate jury instructions to the jury, which were not based upon the evidence.

He did not have sufficient case or legal knowledge to rule according to statutes and well settled case law.

When the pro se litigant proved the Judge (using the term loosely) wrong, he retaliated against her by giving jury instructions to purposely mislead the jury.

Rather than paying attention to what was going on in the courtroom with regard to witnesses, as this Judge (again a loose term in regard to this judge) he was leaning back in the chair behind the bench as that was more comfortable for him.

This Judge should not be permitted to to preside over cases where he cannot be fair and impartial.

He wasn't fair and impartial and entered a judgment on an attorney's fees award and other aspects of the case, without granting the required hearing.

Lawyers can and do lie in front of this Judge and he doesnt report their lies and misconduct to the bar.

The pretrial order verbally entered but not reduced to writing, when this judge was informed that the pro se litigant had just [redacted] and where he mistakenly said that since she had filed an answer in the case, she waived jurisdiction, which cannot be waived, was on [redacted]

The "trial" was held on [redacted], where the issues and per se defenses were ignored by the judge.

The entry of judgment without an hearing on attorney's fees was on [redacted].

This judge is unable to properly rule on basic concepts of law.

[redacted]

[redacted]

[redacted]