

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-145

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Judge:

Complainant:

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**ORDER**

July 23, 2020

The Complainant alleged that a hearing officer relied on hearsay and exceeded her jurisdiction in issuing an injunction against workplace harassment.

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).

Copies of this order were distributed to all appropriate persons on July 23, 2020.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2020-145

**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.

Please See Attachments

OTHER ORDERS.

CONTEST - REQUEST FOR HEARING

2020-145

Date                      /s/                      Judi

HONORABLE  
Printed Name

**WARNING:** This is an official court order. If you disobey this order, you may be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed in disobeying this order.

**NOTICE:** If you disagree with this injunction, you have the right to request a hearing, which will be held within 10 business days after your written request has been filed in the court that issued this injunction. Violations of this injunction should be reported to a law enforcement agency, not the court.

**ADDITIONAL WARNINGS TO DEFENDANT:** Nothing the plaintiff does can stop, change, or undo this injunction without the court's written approval. You must appear in court to ask a judge to change (modify) or dismiss (quash) this injunction.

**INJUNCTION AGAINST WORKPLACE HARASSMENT**

Amended Order

Case No.

Court ORI No.

County                      State

**PLAINTIFF EMPLOYER**

**AUTHORIZED AGENT**

\_\_\_\_\_

\_\_\_\_\_

And/or on behalf Protected Person(s): (List names)

V.

**DEFENDANT**

\_\_\_\_\_

First                      Middle                      Last                      Suffix

Defendant/Plaintiff Relationship: OTHER-Past employee

Defendant's Address:

**CAUTION:**  Weapon Alleged in Petition

**DEFENDANT IDENTIFIERS**

SEX	RACE	DOB	HT	WT
EYES	HAIR	<i>Arizona Prohibits Release of Social Security Numbers</i>		
DRIVER'S LICENSE #		STATE	EXP DATE	

Estimated Date of Birth

**WARNINGS TO DEFENDANT:** This Injunction shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this Injunction may result in federal imprisonment (18 U.S.C. § 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. § 922(g)(8)). **Only the Court, in writing, can change this Injunction.**

This Injunction is effective for one year from date of service.

**THE COURT HEREBY FINDS THAT:**

It has jurisdiction over the parties and subject matter.  
 Defendant received actual notice of this Hearing and had an opportunity to participate.

**THE COURT, FINDING REASONABLE CAUSE, HEREBY ORDERS:**

**NO CONTACT.** Defendant shall have no contact with Plaintiff Employer or other person while that person is on or at the employer's property or place of business or is performing official work duties except through attorneys, legal process, court hearings and as checked:  Phone  Email/Fax  Mail  Other:  
 **NO CONTACT.** Defendant shall have no contact with **Protected Person(s)** except through attorneys, legal process, court hearings and as checked:  Phone  Email/Fax  Mail  Other:

**THE COURT FURTHER ORDERS:**

**PROTECTED LOCATIONS.** Defendant shall not go to or near the Plaintiff employer's or other Protected Person's:

Workplace:

*Violence*

Defendant: \_\_\_\_\_ Date: \_\_\_\_\_ Case No. \_\_\_\_\_

**Defendant's Guide Sheet for Protective Orders-Please Read Carefully**

This guide sheet provides more information about the petition and the order that have been served on you.

The **PETITION** contains the plaintiff's allegations against you and the relief that was requested from the court. The **ORDER** tells you what conditions the judge granted. If you were served only with a petition, a pre-issuance hearing will be scheduled.

**IF YOU HAVE BEEN SERVED WITH:**

**ORDER OF PROTECTION:** An Order of Protection has been issued because you allegedly committed or may commit an act of domestic violence against the plaintiff. You and the plaintiff have one of the following relationships:

- married (past or present)
- live/lived together as intimate partners
- romantic or sexual relationship (past or present)
- parent of a child in common
- one party is pregnant by the other
- related as parent, grandparent, child, grandchild, brother, sister (including step or in-law)
- live/lived together but not as intimate partners

**INJUNCTION AGAINST HARASSMENT:** You allegedly have committed a series of acts (more than one) of harassment or one act of sexual violence (as defined in ARS § 23-371) against the plaintiff within the last year.

**INJUNCTION AGAINST WORKPLACE HARASSMENT:** This injunction, alleging at least one act of harassment, has been filed against you by an employer or a business owner for the benefit of an employee or the business

**SERVICE AND EFFECT**

This protective order is valid for one year from the date it was served on you. It is enforceable by law enforcement in any state or tribal nation in the United States.

**CONTESTED HEARING**

If you disagree with this protective order, you have the right to request a hearing. The hearing will be held within 5 to 10 business days after you file a written request at the court that issued this order. If a hearing is held and the order remains in effect or is modified, and you and the plaintiff are either married (past or present), live together as intimate partners (past or present), or are parents of a child in common, you may be prohibited from possessing a firearm. This prohibition may apply even if you fail to appear for the hearing. If you have questions about whether your request for a hearing can result in a firearms prohibition, you should contact an attorney. The court cannot give you legal advice.

**CHILDREN**

If your child is listed as a protected person, you may be referred to superior court. Only a superior court judge can decide child custody (legal decision-making) or parenting time in a separate family law action.

**FAMILY COURT**

If either you or the plaintiff file an action for maternity, paternity, annulment, legal separation, or divorce, advise this court immediately so the protective order case can be transferred to the superior court.

He then became irate and told me he did not care and once again hung up only to immediately call back still angry and screaming at me this time I hung up on him. He called back one last time screaming, "Why did \_\_\_\_\_ call me from an unblocked number?? and hung up once again. \_\_\_\_\_ called our office from a blocked number on \_\_\_\_\_"

He went on and on about how we were supposed to apologize to him and didn't, I told him that we were not allowed to speak to him and he needed to speak to our legal office. he had me rattle and it took me several moments to get him the number. While I was getting the number his voice continued to be very loud, forceful and raised, I placed him on speaker phone so the rest of the office could hear him. This is one of many instances of Mr \_\_\_\_\_ calling and harassing our office, corporate office or our legal office. We have several instances documented to offer to the judge.

5. The following persons should also be on this order. They should be protected because Defendant is a danger to them:

6. Defendant should be ordered to stay away from these locations at all times, even when I am not present.

**NOTE:** Do not list confidential addresses here.

Residence

Work

School/Other

7. a.  Defendant owns or carries a firearm or other weapons.  
b.  Defendant should be ordered NOT to possess firearms or ammunition while this order is in effect because of the risk of harm to me or other protected persons.
8.  Defendant should be ordered to stay away from any animal that is owned, possessed, leased, kept or held by me, Defendant, or a minor child living in either my household or Defendant's household.
9. Other Requests:

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Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge. I request an order or an injunction granting relief as allowed by law.

Plaintiff

\_\_\_\_\_  
Attest: /S/ HONORABLE

Judicial Officer/Clerk/Notary

Date

**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.**