

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-031

Judge:

Complainant:

ORDER

The Complainant alleged a delayed ruling by a superior court judge hearing a civil case.

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.

After review, the Commission found the judge issued a substantially delayed ruling. The judge's conduct violated Rules 1.1 and 2.5(A) of the Code of Judicial Conduct, along with Art. 2, §11, and Art. 6, §21 of the Arizona Constitution. Respondent's conduct also violated A.R.S. §12-128.01, relating to payroll and certifications of compliance. The Scope Section of the Code provides that not 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 Commission Rules 16(b) and 23(a), but to issue a warning letter to the judicial officer reminding of the obligation to issue timely rulings.

Commission member Delia R. Neal did not participate in the consideration of this matter.

Dated: September 20, 2024

FOR THE COMMISSION

/s/ Christopher P. Staring
Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on September 20, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-031

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.

I am filing this complaint for performance, not conduct, as I feel it's my only recourse in this matter. I have been waiting for a ruling on the dismissal of this case since [redacted] I was informed that the order would be sent via email once the judge has ruled. I have emailed and called multiple times over the past few months, all with no update. The clerk and associated employees have been wonderful in getting back to me, albeit with no ruling to report. They have CC'ed the Judicial assistant, [redacted] in our emails, with no response. I left a voicemail for this assistant/judge on their staff line ([redacted] requesting any information, with no response. My attorney requested the dismissal in [redacted] after both parties came to an agreement to sell the house in question and the house has been sold. I am also waiting to end my attorney agreement and request my remaining retainer until she receives this ruling. If needed I can send email and phone call dates and times, but I hope that won't be necessary. I'm not seeking any disciplinary action as I'm aware these rulings often exceed the 60 days due to the overwhelming amount of cases in the courts. I am simply wanting the final ruling as we are nearing 6 months and I've surely exhausted the clerk and associated employees with inquiries.