

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-075

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Judge:

Complainant:

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**ORDER**

June 6, 2024

The Complainant alleged a justice of the peace pro tem made an improper ruling in an injunction against harassment proceeding.

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).

Commission member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 6, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2024-075

**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.

Today's hearing by your Honorable \_\_\_\_\_ case: \_\_\_\_\_ leaves me to believe that the judgment rendered today not only lacks a solid legal foundation but also serves to underscore my allegations. It appears to set a concerning precedent that orders of protection can be arbitrarily placed against individuals for exercising their First Amendment rights to free speech, provided there is an incentive to shield a colleague or the county from the ramifications of a pending lawsuit. This decision seems to prioritize institutional protection over the fundamental rights of individuals, disregarding the essence of what the First Amendment seeks to protect. Such actions, if left unchallenged, could potentially erode public trust in our legal system and undermine the very principles of justice and fairness it is supposed to uphold. I strongly believe this judgement was in direct correlation to Case# \_\_\_\_\_ against Judge \_\_\_\_\_ in an attempt to shield a colleague.

The definition of harassment under Arizona Revised Statutes (ARS) is specifically outlined in ARS § 13-2921. Arizona law defines harassment as a series of actions that are directed at a specific person and that would cause a reasonable person to feel harassed, alarmed, annoyed, or harassed. The statute is broad, aiming to encompass a wide range of behaviors that can be considered as harassment. Here are the key elements based on the ARS definition: I will be submitted a complaint against Honorable Judge \_\_\_\_\_ but would like to include this in my complaint against Justice \_\_\_\_\_ also.

1. **\*\*Intentional or Knowingly\*\***: The actions must be done intentionally or knowingly. This means the person committing the act is aware that their behavior is likely to cause the victim to feel harassed, alarmed, annoyed, or harassed.

2. **\*\*Conduct\*\***: The behavior in question can include, but is not limited to, verbal acts, physical acts, or both, which are directed at a specific person. This can encompass a wide range of actions, from physical stalking to non-consensual communication through various mediums.

3. **\*\*Reasonable Person Standard\*\***: The statute uses a "reasonable person" standard to assess whether the conduct would cause a reasonable person to feel harassed, alarmed, annoyed, or harassed. This means the actions must be such that a reasonable person, under the same circumstances, would likely feel harassed.

4. **\*\*Actual Distress\*\***: The actions must actually cause the victim to feel harassed, alarmed, annoyed, or distressed. This means there must be a demonstrable impact on the victim's mental or emotional state.

5. **\*\*Specific Prohibitions\*\***: The statute may list specific types of conduct that are considered harassment. This can include, but is not limited to, following someone in or about a public place, repeatedly committing acts that serve no legitimate purpose, repeatedly making unwanted communications (in any form), and making false reports to law enforcement or other governmental agencies about the victim.

6. **\*\*Exceptions and Defenses\*\***: The law also outlines certain exceptions and defenses to harassment charges. For example, constitutionally protected activities or legitimate purposes for the behavior might not be considered harassment under the law.

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All Courts in Arizona/NCIC/DPSS Address, City, AZ Zip Telephone Number

Plaintiff <input type="checkbox"/> Employee-Plaintiff if Workplace Injunction	Defendant	Case No.
<input type="checkbox"/> On behalf of minor/person in need of protection named:	Defendant's address	<b>PETITION for:</b> <input type="checkbox"/> Order of Protection <input checked="" type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Workplace Injunction
Agent's name (if Workplace Injunction)	Defendant's phone	

**This is NOT a court order.**

This petition contains Plaintiff's allegations and requests. To see what the court has ordered, see "Order" form.

*DIRECTIONS: Please read the Plaintiff's Guide Sheet before filling out this form.*

1. Defendant/Plaintiff Relationship (or relationship between Defendant and minor/person in need of protection)

- Married (past or present)
- Live/lived together as intimate partners
- Romantic/sexual (past or present)
- Parent of child in common
- One party is pregnant by the other
- Related as parent, grandparent, child, grandchild, brother, sister (or in-law/step)
- Live/lived together but not as intimate partners
- Other:

2.  Defendant and I have a pending motion involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time, or support in \_\_\_\_\_ County Court, Case # \_\_\_\_\_.

3. Name of court, if any, in which any other protective order related to this conduct has been filed.

4. Tell the judge what happened and why you need this order. PRINT both the dates and a brief description of what happened. If there is a contested hearing, a judge can consider only what you write here.

*NOTE: Defendant will receive a copy of this petition when the order is served.*

Approx. Date	(Do not write on back or in the margin. Attach additional paper if necessary)
4	<p>While driving my children to school they noticed truck outside their dads house (which is located across from the school. I asked if he was there often and my daughter stated he is there all the time drinking and being loud and sometimes mean. She also stated sometimes it makes it hard to sleep if hes being too loud, and alot of times he is yelling when he drinks. I ask her how often he drink and she said every day. I asked my son if this is true and he stated yes, it happens all the time. <i>harass</i></p> <p><i>calling me derogatory names to my children like whore.</i></p> <p>I believe _____ is filing false claims with _____ wasting resources, having my kids removed from class to interview false claims all in an attempt to cause emotional damage. <i>ask false accused reporter</i></p> <p>_____ repeatedly comments on _____ calling me things like scam and whore. <i>1st accused</i></p>
<i>required</i>	<i>calls me a cunt in</i>
<i>required</i>	<i>@ himself</i>
<i>required</i>	<i>message between</i>
<i>required</i>	<i>private message / first</i>
<i>required</i>	<i>accused</i>