

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-093

Judge:

Complainant:

ORDER

July 30, 2024

The Complainant alleged improper legal rulings by a justice of the peace hearing a criminal 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.

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 Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 30, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-093

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.

Factual background. I reviewed some recent cases by Judge _____ after hearing complaints about her lack of knowledge and understanding on the Rules of Evidence. Listed below are _____ recent cases, exhibit logs have been included, in which Judge _____ did not understand Ariz.R.Evid. Rule 801 on hearsay and specifically violated Rule 802. In all of these cases Judge _____ admitted into evidence Police Reports and Incident Reports which is a clear violation of Ariz.R.Evid Rule 802 and there is no Crawford exception in these matters. This _____ firmly believes she does not possess the knowledge and understanding of the rules in this matter and as such has violated the Arizona Code of Judicial Conduct. This also violates the Confrontation Clause and the defendant's Constitutional Rights.

COUNTY

COURT

| | | |
|---|--|-------------------------|
| <p>PLAINTIFF/STATE</p> <p>ATTY:</p> | <p>CASE NO.</p> <p>EXHIBIT LOG</p> | <p>DEFENDANT</p> |
|---|--|-------------------------|

Judge: Courtroom Clerk: Hearing Date: Adjudicated Date:

| | |
|------------------------------|-------------------------------|
| Plaintiff/State's Witnesses: | Defendant/Defense's Witnesses |
| 1 | 1. |
| 2. | 2. |
| 3. | 3. |
| 4. | 4. |
| 5. | 5. |

**F/C (File/Closet)

| | PLAINTIFF/STATE EXHIBITS | ADM | LOC | | DEFENDANT'S EXHIBITS | ADM | LOC |
|----|--------------------------|-----|-----|---|----------------------|-----|-----|
| | | Y/N | F/C | | | Y/N | F/C |
| 1 | INCIDENT REPORT | Y | F | A | JOB ESTIMATE | N | N/A |
| 2 | | | | B | | | |
| 3 | | | | C | | | |
| 4 | | | | D | | | |
| 5 | | | | E | | | |
| 6 | | | | F | | | |
| 7 | | | | G | | | |
| 8 | | | | H | | | |
| 9 | | | | I | | | |
| 10 | | | | J | | | |
| 11 | | | | K | | | |
| 12 | | | | L | | | |
| 13 | | | | M | | | |
| 14 | | | | N | | | |
| 15 | | | | O | | | |

| | |
|---|---|
| <p>I would like the admitted exhibit returned to me:</p> <p>Signature:</p> <p>I <i>decline</i> to have the admitted exhibit returned to me:</p> <p>Signature:</p> | <p>I would like the admitted exhibit returned to me:</p> <p>Signature:</p> <p>I <i>decline</i> to have the admitted exhibit returned to me:</p> <p>Signature:</p> |
|---|---|

COUNTY _____

COURT _____

| | | |
|--|---|------------------|
| PLAINTIFF/STATE ATTY: | CASE NO. EXHIBIT LOG | DEFENDANT |
|--|---|------------------|

Judge: _____ Courtroom Clerk: _____ Hearing Date: _____ Adjudicated Date: UNDER ADVISM.

| | |
|------------------------------|-------------------------------|
| Plaintiff/State's Witnesses: | Defendant/Defense's Witnesses |
| 1. _____ | 1. _____ |
| 2. _____ | 2. _____ |
| 3. _____ | 3. _____ |
| 4. _____ | 4. _____ |
| 5. _____ | 5. _____ |

**F/C (File/Closet)

| | PLAINTIFF/STATE EXHIBITS | ADM | LOC | | DEFENDANT'S EXHIBITS | ADM | LOC |
|----|--------------------------|-----|-----|---|----------------------|-----|-----|
| | | Y/N | F/C | | | Y/N | F/C |
| 1 | INCIDENT REPORT | Y | F | A | | | |
| 2 | PHOTO | N | N/A | B | | | |
| 3 | | | | C | | | |
| 4 | | | | D | | | |
| 5 | | | | E | | | |
| 6 | | | | F | | | |
| 7 | | | | G | | | |
| 8 | | | | H | | | |
| 9 | | | | I | | | |
| 10 | | | | J | | | |
| 11 | | | | K | | | |
| 12 | | | | L | | | |
| 13 | | | | M | | | |
| 14 | | | | N | | | |
| 15 | | | | O | | | |

| | |
|---|---|
| I would like the admitted exhibit returned to me: _____ Signature: _____ | I would like the admitted exhibit returned to me: _____ Signature: _____ |
| I <i>decline</i> to have the admitted exhibit returned to me: _____ Signature: _____ | I <i>decline</i> to have the admitted exhibit returned to me: _____ Signature: _____ |

COUNTY

COURT

PLAINTIFF/STATE

CASE NO.

DEFENDANT

STATE OF ARIZONA

EXHIBIT LOG

Judge:

Courtroom Clerk:

Hearing Date:

Adjudicated Date:

Plaintiff/State's Witnesses:

Defendant/Defense's Witnesses

| | | | |
|----|-------|----|-------|
| 1. | _____ | 1. | _____ |
| 2. | _____ | 2. | _____ |
| 3. | _____ | 3. | _____ |
| 4. | _____ | 4. | _____ |
| 5. | _____ | 5. | _____ |

**F/C (File/Closet)

| | PLAINTIFF/STATE EXHIBITS | ADM | LOC | | DEFENDANT'S EXHIBITS | ADM | LOC |
|----|--------------------------|-----|-----|---|----------------------|-----|-----|
| | | Y/N | F/C | | | Y/N | F/C |
| 1 | CD | Y | | A | | | |
| 2 | PHOTO | N | | B | | | |
| 3 | INCIDENT REPORT | Y | | C | | | |
| 4 | INCIDENT REPORT | N | | D | | | |
| 5 | | | | E | | | |
| 6 | | | | F | | | |
| 7 | | | | G | | | |
| 8 | | | | H | | | |
| 9 | | | | I | | | |
| 10 | | | | J | | | |
| 11 | | | | K | | | |
| 12 | | | | L | | | |
| 13 | | | | M | | | |
| 14 | | | | N | | | |
| 15 | | | | O | | | |

I would like the admitted exhibit returned to me:

I would like the admitted exhibit returned to me:

Signature: _____

Signature: _____

I *decline* to have the admitted exhibit returned to me:

I *decline* to have the admitted exhibit returned to me:

Signature: _____

Signature: _____

COUNTY: _____

COURT _____

| | | |
|--|---|------------------|
| PLAINTIFF/STATE STATE OF ARIZONA | CASE NO. EXHIBIT LOG | DEFENDANT |
|--|---|------------------|

Judge: _____ Courtroom Clerk: _____ Hearing Date: _____ Adjudicated Date: _____

| | |
|------------------------------|-------------------------------|
| Plaintiff/State's Witnesses: | Defendant/Defense's Witnesses |
| 1. DEPUTY | 1. |
| 2. | 2. |
| 3. | 3. |
| 4. | 4. |
| 5. | 5. |

**F/C (File/Closet)

| | PLAINTIFF/STATE EXHIBITS | ADM | LOC | | DEFENDANT'S EXHIBITS | ADM | LOC |
|----|--------------------------|-----|-----|---|----------------------|-----|-----|
| | | Y/N | F/C | | | Y/N | F/C |
| 1 | CD | Y | | A | | | |
| 2 | PHOTO/INCIDENT REPORT | N | | B | | | |
| 3 | INCIDENT REPORT | Y | | C | | | |
| 4 | PLEA | N | | D | | | |
| 5 | | | | E | | | |
| 6 | | | | F | | | |
| 7 | | | | G | | | |
| 8 | | | | H | | | |
| 9 | | | | I | | | |
| 10 | | | | J | | | |
| 11 | | | | K | | | |
| 12 | | | | L | | | |
| 13 | | | | M | | | |
| 14 | | | | N | | | |
| 15 | | | | O | | | |

I would like the admitted exhibit returned to me:

I would like the admitted exhibit returned to me:

Signature: _____

Signature: _____

I *decline* to have the admitted exhibit returned to me:

I *decline* to have the admitted exhibit returned to me:

Signature: _____

Signature: _____

**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.**