

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-116

Judge:

Complainant:

ORDER

July 23, 2024

The Complainant alleged a justice of the peace unfairly impugned his professional integrity by voicing his displeasure at Complainant's appearance before the court telephonically without access to a camera during a judgement debtor examination.

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 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, 2024.

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

FOR OFFICE USE ONLY

2024-116

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.

On _____, at a Judgment Debtor Examination before the Judge, I appeared telephonically via a phone number provided by the Court. I called in, as I was in my car driving, having been granted a virtual appearance due to traffic delays.

When the hearing began, Justice _____ immediately questioned why my camera wasn't on. I explained I had telephoned in at the provided phone number. He continued to berate me and question why I wouldn't pull over and activate my camera while in my vehicle. As I was the only party to appear in the case, and the Debtor didn't bother to show, _____ behavior and hostility towards me was entirely unwarranted. "reasoning" was that I wouldn't be able to see what the Court had to show me at the Judgment Debtor Examination. Having done many, I'm well aware of how they go, even when a debtor appears. There are no exhibits to be shown, and the Court wouldn't have reason to "show" anything to any party at any point. This was nothing more than puffery and bullying by _____.

A simple 30-day continuance on the matter was all that was required. Instead of conducting the proceeding with patience and courtesy in accordance with Rule 2.8 of the Judicial Code of Conduct, _____ continued to insist I had no interest in what the Court was doing, impugning my professional integrity as an attorney... all because I didn't have my camera on.

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