

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-260

Judge:

Complainant:

ORDER

The Complainant alleged a justice of the peace failed to provide proper contact information to participate in a virtual hearing.

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 a defendant's right to be heard was violated. While this was improper under Rule 2.6(A) of the Code of Judicial Conduct, 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 to be mindful of litigant's rights, even if court policies, whether intentional or not, curtailed those rights.

Commission members Roger D. Barton, Colleen E. Concannon, and Delia R. Neal did not participate in the consideration of this matter.

Dated: April 2, 2025

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on April 2, 2025.

Tel.

**IN THE JUSTICE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF**

Plaintiff,)
v.)
Defendant,)
_____)

Complaint No.

Case No.

COMPLAINT OF

JUDICIAL COURT

Dear Members of the Judicial Conduct Commission,

I am writing to formally file a complaint against Judge _____ of the
Justice Court regarding their conduct in the case of _____, heard on

Description of Complaint:

1. The defendant did not fail to appear. The defendant kept waiting on the phone on _____ to be contacted by the court. However, after not noticing any calls he contacted the court at _____ and the clock stated that the judge already ruled.
2. The judge erred by ignoring that the complainant provided proof he reached the Court on _____, at _____. As defendant did not receive the phone call at _____. The court stated the defendant was going to be reached on _____ at _____ the number _____ *See EX A.*
3. The judge erred by ruling that _____ failed to appear IN PERSON, the defendant appeared telephonically not in person as stated in the notice. *See Ex B*
4. The judge erred by acting with indolence, malice, treachery, and bad faith by taking advantage of the system, as it was stated in the hearing notice the phone number where the defendant could be reached. However, the court did not make any efforts to reach the defendant and acted with laziness by not attempting to reach _____
5. The judge erred by not trying to reach the defendant via phone, the defendant was successful in a small claim case that was performed via telephone, and the complainant was contacted by phone, In _____ was granted a judgment through a telephonic hearing at _____ Court. The _____ Court contacted the complainant via phone. Even dialed twice. *See* _____ *See Ex B.*
6. The court failed to provide specific, detailed instructions or tips regarding Telephonic or Virtual Hearings which might have caused miscommunication and confusion between both parties. *See Ex. A.*

7. The court currently performs predatory practices, On [redacted] defendant tried to renew an [redacted] registration online but was not able to, after contacting the customer service, the agent stated to defendant [redacted] that there was a traffic ticket that needed to get paid to renew the registration. However, when [redacted] visited [redacted], found out that payment went from \$257 to \$388 for no reason at all. Afterward, the defendant contacted the [redacted] court on the number [redacted] the defendant asked the clerk why the fine went up from \$256 to \$388 which equals 51% more than the original fine, the clerk stated that there were collection fees when the defendant asked what was the name of the collection agency, the clerk was unable to state the agency's name and stated it was not transferred to an agency yet. [redacted] judges are performing predatory practices and criminalizing the low-income community for not being able to pay. The defendant has been unemployed since [redacted] and wanted to renew the registration to drive rideshare and provide for his family. The percentage is extremely high for just 3 months of balance due.

8. Judge [redacted] and the court failed to adhere to legal standards by not providing a detailed explanation regarding virtual hearings or by not even trying to reach the defendant at his phone number [redacted]. See Ex.A. The notification does not clarify specifically that the defendant needs to reach the court, but instructs that court contacts defendant.

Supporting Evidence:

- Copies of correspondence related to the case. See Ex. A. and B.
Including previous motion to reopen the case.

I believe these actions constitute a violation of the judicial conduct standards, *See AZ ST Code of Jud. Admin., § 1-303 C. 2.2, C.2.3* and the 8th amendment of the U.S. constitution. Furthermore, the court currently employs dishonest predatory practices by exorbitantly increasing the fine amounts *See Timbs v. Indiana (2019), See Bearden v. Georgia (1983)* without any kind of explanation in the payment portal. Those practices are made to make revenue.

I request a thorough investigation into this matter and appropriate disciplinary action.

Thank you for your attention to this serious matter. I look forward to your response.

Respectfully,

Dated:

EX. A

**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.**