

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-060

Judge:

Complainant:

ORDER

May 16, 2025

The Complainant alleged a superior court judge allowed the opposing party to appear for court remotely while driving a semi-truck which was distracting to the complainant in a family law 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 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 members Denise K. Aguilar and Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 16, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-060

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 writing to formally raise a concern regarding the conduct of my husband, [], during the RMC conference for the dissolution of marriage case on []. During this hearing, [] was operating a semi-truck while attending the video conference, a matter which I believe should have been addressed by the judge. I am deeply concerned about the potential safety risk posed by this situation and its impact on the fairness and integrity of the proceedings.

Impact on Case and Legal Concerns:

1. Safety and Distraction:

[] was operating a semi-truck, a large commercial vehicle, while participating in the hearing. This raised significant safety concerns, both for him and for others on the road. Furthermore, his operation of the vehicle during the hearing created a considerable distraction for me. My focus was diverted due to worry over his ability to maintain safety and attention while attending a legal proceeding, and my confusion to as why the Judge did not address this, it impaired my ability to engage fully in the hearing.

2. Due Process Violation:

Due process ensures that all parties are afforded a fair opportunity to participate in legal proceedings. The distraction caused by the semi-truck operation hindered my ability to present my case and respond effectively. Moreover, the safety concerns raised a potential violation of my right to a fair and undistracted hearing, potentially influencing the proceedings.

3. Judicial Duty to Maintain Order:

Judges are responsible for ensuring that hearings are conducted with order and decorum. By allowing [] to operate a semi-truck during the video hearing without addressing the issue, the judge has failed to maintain proper order in the court, potentially compromising the fairness of the process. Additionally, this lack of intervention may have demonstrated an inconsistency in the application of courtroom rules. I believe the following legal and ethical violations have occurred:

Failure to Maintain Order and Decorum (Arizona Code of Judicial Conduct – Rule 2.8)

- Judges are responsible for ensuring court proceedings are conducted with order and fairness.

• Allowing a party to operate a multi-ton commercial vehicle while attending a legal hearing is a distraction, a safety risk, and could impair due process.

Failure to Ensure Meaningful Participation (Due Process Violation – U.S. Constitution, 14th Amendment & Arizona Family Court Rules)

- Due process requires that both parties have a fair opportunity to present their case, focus on legal arguments, and participate fully.

I was distracted and concerned for public safety and this impaired my ability to effectively argue my case, respond to questions, and remain focused—which violates my right to a fair hearing.

