

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-463

Judge:

Complainant:

ORDER

The Complainant alleged administrative irregularities and lack of competence by a justice of the peace.

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 Commission approved sending the judge an advisory letter regarding Rules 1.1, 1.2, and 2.1. Commission Administrative Policy 19(b)(1) indicates an advisory letter is appropriate for those circumstances in which “even though the judge’s conduct did not technically violate the code, it suggested an appearance of impropriety that could be avoided in the future if the judge is willing to modify his or her behavior or court procedures as recommended by the Commission.”

The complaint is therefore dismissed pursuant to Commission Rules 16(b) and 23(a). The judge’s request for a protective order is deemed moot based on the confidential disposition of this complaint.

Dated: May 29, 2024

FOR THE COMMISSION

/s/ Christopher P. Staring
Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on May 29, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-463

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.

Judge _____ has repeatedly shown her dislike for me. There was an anonymous complaint filed on _____ that resulted in a public reprimand (see attached documents or reference complaint/case number _____). The anonymous complaint begins with, " _____ ..." The person who made that complaint clearly had some negative experiences with Judge _____ while working with the _____ Justice Court. With regards to the complaint, Judge _____ filed her response and outlined all of the allegations made against her. My name was the only one that appeared to be a standalone in anything negative that was said about Judge _____ and because I voiced what I saw and the concerns that I had, she has retaliated against me since then. The narrative that was depicted in her response was made to perceive me as a liar. Paragraph 5, "

... The sole reference to this issue was made by _____ whose allegation that when young black males came in, Judge _____ would, "

_____ was wholly unsupported by any of the interviewees. Notably, in Judge _____ entire time on the bench, _____ has _____ " In fact, I _____ for Judge _____ I am a _____ and we, as _____, help when and if needed. There were times when I did in fact, _____ for her on arraignment days and on many occasions. There would be no other witnesses to my allegations, because in Judge _____ courtroom, there is only the need for _____ to sit with Judge _____ I made the accusations about the Judge being racially biased in the courtroom, being rude, and unprofessional simply because I witnessed it first hand _____ There would have been no other _____ present to have been able to witness such acts unless they too had _____ for Judge _____ In the entire response, my name was the only name that shed any negative light on Judge _____ and her character in the courtroom and because of this, she has had a personal vendetta against me. She has found numerous ways to humiliate me in front of staff and fellow co-workers, and to customers who are being served in the courthouse. Being humiliated and spoken to like that in front of co-workers and public undermines my job and duties as a _____ when being laughed at or scolded in front of them. Being made to feel belittled and often times going to bathroom or to the breakroom to cry. Judge _____ has a very strict phone policy in the courthouse. Her _____ " policy is harsh and often times extremely stressful when I know I have an _____ or the possibility of my _____ and needing to be picked up. According to her _____ policy implemented or _____ during a staff meeting, she states that _____ your desk. In that very same meeting at _____ she states, "

_____ ". As far as I am concerned, she is a liability to the Justice Court and to the county. Because of what she said about HR, I was terrified of coming to HR or filing a complaint for so long because I was terrified that nothing would happen and that she would things would get so bad if she found out I made a complaint about her that she would find a way to fire me since she did state that she was the hiring and firing authority. I did not want to lose my job. On _____ at _____ her exact words with regards to _____ was, "

The retaliation reached an all time low for me with regards to the

incident that happened yesterday, began to gather my things but realized

at about was missing.

As I was preparing to leave for the day, I could not locate it so I

came out of her office (the door had been shut) and yelled to the entire staff in the office,

and realized it was mine. I looked over to the Judge holding and told her that it was mine. She looked at me even more angry that and and yelled, " As I walked over to her, she gave me a look that made me fear she would either throw at me or worse, hit me in some way. There was just a look on her face. A look of disgust. I reached out

from her hand and she aggressively scoffed at me, and walked away. When she reached her office, she slammed the door extremely hard and violently. She wants management to write me up for breaking the policy, however, I did not violate the policy, my was misplaced/lost. On Judge stated to management that she saw me from another clerks desk as she was walking by. was a Thursday. On Thursdays, I have a meetings with the as I am helping create the for County. It was a live teams meeting and it is very tedious. During these meeting, we discuss the implementation of the program, thus any usage would cause interruptions during these meetings and I would be able to actively participate.

Another example of retaliation was back on a Tuesday. Tuesdays are at They are heavy case load days fill with pre-trial and status conferences. She was in her office with the door shut. Usually when door is shut, she's not in a good mood so I was afraid and nervous to knock. This time, she was in her chambers having a personal conversation with the clerk she is inappropriately close to. I did not want to interrupt, however, I did have a plea agreement that needed to be heard by the Judge. As to avoid any interruption between the Judge and the clerk, I placed the file on the Judge's desk and said, " The Judge did not acknowledge me and I was already nervous being in there so I walked out. About an hour later, she comes out to scold me for not handing her the file and placing it directly in her hand and how she was upset that the defendant had been waiting an hour to go over his plea agreement. When I went to go look for the file, I walked into her chambers and she was laying on her sofa on her phone under a blanket. The file was still on her desk where i had originally placed it. She blamed me for not speaking up about leaving a plea agreement on her desk and I should have known better to just place it in her hand rather than on her desk. After she scolded me, I went into her office to try and speak to her about our relationship and how I felt she was singling me out. I asked her if there was anything that

" She blankly stated at me before saying she would not have this conversation with me and that management needed to be involved. Judge myself, and the deputy manager ended up in the manager's office and the Judge looked at me and told me to repeat everything I had Just told her to management. I did so. Judge looked at me when I was done speaking and said that I would not be getting any response or reaction from her and that if I felt some way about it, that it's not her problem. I tried to speak again and she cut me off and said she was done with the conversation and I would get nothing else from her. On there was a staff meeting in which the Judge wanted to make sure all staff knew to hand files directly to her because of what happened with the plea agreement incident on Back to the meeting, the Judge stated that schedules would be changing. No one would have the same day off anymore. On the new schedule was emailed out and everyone's day off stayed the same. Because of the close relationship that Judge has with another clerk, I was moved from the day off I've had for the past years, and the " clerk filled my spot. The Judge clearly stated that EVERYONE's schedule would be changing. This was not the case. I was the only one moved to a completely different day off while the " clerk filled my day off slot. I felt the Judge was punishing me all over again. The other clerks either didn't get switched, and if they did, it was being moved from a off or vice versa whereas I was moved from a

pm

Flex day: She stated that if you're late, you lose your flex, no excuses

HR separate, not interested in anything other than legal issues

Direct quote- " "

She's the boss, she's the hiring and firing authority

pm "

There is a recording video and audio of the staff meeting that was held on . I am willing to provide copies of that recording to corroborate my statements.

I believe she has violated rule 2.3 for bias, harassment, and prejudice and canon 3b (4).

Please reach out to me if I can be of any further assistance in this matter.

Thank you for your time,

On Tuesday, _____ at approximately _____ pm, I was helping someone at the counter. While I was assisting the person at the counter, I heard Judge _____ say in a very loud voice “ _____ !” I noticed that _____ walked over to Judge _____ and saw it was her phone. Judge _____ then entered her office and slammed her door.

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Disposition of Complaint

Judge:

Complainant:

ORDER

**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.**