

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-392

Judge:

Complainant:

ORDER

March 29, 2024

The Complainant alleged a justice of the peace pro tem made improper legal rulings and was not listening to her in an eviction 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).

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

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

FOR OFFICE USE ONLY

2023-392

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.

During my eviction hearing on _____ Judge _____ asked if either me or my ex husband had anything to add as to why this case should be looked into further. Judge _____ referred to my tone of voice but it was nervousness that he was hearing in my tone. He misinterpreted it as me getting angry with him and I tried to explain this to him but he refused to hear me. I am also a disabled person with no means to support myself. My ex husband abandoned me with the apartment. I tried to explain this to Judge _____ and other points as well but he continually kept messing with his hearing aids and I feel he was not paying attention to what I was saying. I tried explaining to him that I went to my leasing office to get help and they refused to give me the resources I needed to be able to continue to live at the residence. I am currently in the state of _____, living with my _____ with no means to support myself as I am unable to work due to my disability. He proceeded to tell me that I had not made a case as to why I shouldn't be held responsible for this and that there wasn't even enough for an evidentiary hearing. Judge _____ then proceeded to tell me he will terminate the hearing and require me to return to the state of _____, even after I stated I have no means of doing that due to my disability. He blatantly disregarded my rights as a disabled person and refused to even grant an evidentiary hearing. I also only had a week to prepare but I didn't get the information for the eviction until _____ due to me having no one that could check the mail and the letter didn't get forwarded to my new address as it should have been, it was sent to the apartment that is no longer occupied. I tried to explain to Judge _____ I have been unable to work for _____ years and that my ex husband is the one who had the means to pay for everything. There was plenty of evidence provided to him to support the need for an evidentiary hearing but, again, I feel he was not listening as everytime I spoke he would take one of his hearing aids out and play with it. I was attending the hearing via zoom and was able to clearly see that everytime I spoke he would remove the hearing aid from the ear that was facing the video and play with it.

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