

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-462

Judge:

Complainant:

ORDER

April 19, 2024

The Complainant alleged a small claims hearing officer made an improper ruling.

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).

Commission member Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 19, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-462

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 believe that this hearing officer is complicit in gross judicial misconduct

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Name: Judge's Name: (hearing officer)

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 believe that this hearing officer is complicit in gross judicial misconduct. I will list the following incidents that my conclusions are based upon. The hearing started minutes late and the defendant arrived at the hearing minutes late. The judgement should have been a default in my favor. The translation was over speaker phone. I was required to speak in slow halting sentences, so that the translator could relate to the defendant. Sometimes the court was silent after the translation waiting for me to respoid. The hearing officer, defendant, and translator spoke and understood the defendant reply. The defendant presented no documentation to the hearing. The hearing officer ignored and an invoiced of payment that proved breach of contract on the defendant part. The hearing officer ignored pictures of the car in disrepair. The defendant perjured himself in court and i tried to present the police report to prove it which was ignored. The copies of text asking the defendant to comply with the agreement was ignored. The defendant had a that he had agreed to repair for He also had in parts. He was prepaid upfront. He need to complete repairs for final payment. The claim in small cliams was for for loss of vehicle use, and return of my car and parts. THE HEARING OFFICER MADE HER RULING BY STATING"

THIS HEARING OFFICER RULING GAVE ME NO LEGAL
RECOURSE TO RECOVER MY PROCESSIONS OVER A RULING THAT SHE STATED WAS A
MISUNDERSTANDING.

County Justice Courts, Arizona

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone _____

Defendant(s) Name / Address / Email / Phone _____

JUDGMENT (Small Claims) Corrected

ARSCP 15

This matter was heard by the Court on this date: _____

Plaintiff(s) appeared in person failed to appear

Defendant(s) appeared in person failed to appear

Plaintiff Claim

Judgment is entered upon default with hearing without hearing

Judgment is entered upon agreement of the parties.

IT IS ORDERED granting judgment to:

Plaintiff(s)

Defendant(s)

\$ _____ Principal Amount

\$ _____ Court Costs

\$ _____ Accrued interest, if any

\$ _____ Court Costs

\$ 0.00 TOTAL

With interest thereon at the rate of _____ % per annum on principal amount from the date of judgment until paid in full.

With interest on court cost of _____ % per annum from the date of judgment until paid in full.

IT IS ORDERED dismissing this claim with prejudice without prejudice

Counterclaim

Judgment is entered upon default with hearing without hearing

Judgment is entered upon agreement of the parties.

IT IS ORDERED granting judgment to:

Plaintiff(s)

Defendant(s)

\$ _____ Court Costs

\$ _____ Principal Amount

\$ _____ Accrued interest, if any

\$ _____ Court Costs

\$ 0.00 TOTAL

With interest thereon at the rate of _____ % per annum on principal amount from the date of judgment until paid in full.

With interest on court cost of _____ % per annum from the date of judgment until paid in full.

IT IS ORDERED dismissing this counterclaim with prejudice without prejudice

Date: _____ /s/ _____
 Justice of the Peace Hearing Officer

I CERTIFY that I delivered /mailed a copy of this document to:

Plaintiff at the above address

Defendant at the above address

Date: _____ By _____
Clerk

On _____ and _____ took their
model car and Vin number _____ to my workshop
located at _____ to which the
price of _____ dollars was agreed for repairing, installing,
damaged parts and painting their vehicle and it was verbally
agreed that it would be paid in four parts According to the
progress of the vehicle, initially he delivered _____ dollars.
According to the progress, he delivered _____ dollars. More we
continued working on his vehicle and once more than
progress was reached He was asked for a third of the payment,
which he refused to pay to the point of wanting to take his vehicle
without paying me for the rest of my services for such reason of
non-payment, his vehicle was retained On _____ he agreed
to bring _____ dollars to continue the work, he invited us to eat
and we both agreed and he brought _____ and said he was not
going. To see more money until finishing his car, he was asked to
only pay that amount for materials and painting of the car and it
would be finished in 1 week, he refused and insulted us in the
workshop, we reported it to the police on _____ so as not to
have problems and to agree to an agreement, he refused any
type of agreement, it was made clear to him that from that time
until he paid the amount his vehicle would be finished, he said
that we would get tired and we would give him the vehicle without
paying, he had to comply with the payment and your car will be
delivered in order for me to release the car He would have to pay
the work debt which is _____ plus days of storage.

RECEIVED

County Justice Courts, Arizona



CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

JUDGMENT (Small Claims) **Corrected**

ARSCP 15

This matter was heard by the Court on this date: _____

Plaintiff(s) appeared in person failed to appear

Defendant(s) appeared in person failed to appear

Plaintiff Claim

Judgment is entered upon default with hearing without hearing

Judgment is entered upon agreement of the parties.

IT IS ORDERED granting judgment to:

Plaintiff(s)

\$ _____ Principal Amount

\$ _____ Accrued interest, if any

\$ _____ Court Costs

\$ _____ TOTAL

Defendant(s)

\$ _____ Court Costs

Release of
from

to

and all parts.

per day loss use of

With interest thereon at the rate of _____ % per annum on principal amount from the date of judgment until paid in full.

With interest on court cost of _____ % per annum from the date of judgment until paid in full.

IT IS ORDERED dismissing this claim with prejudice without prejudice

Counterclaim

Judgment is entered upon default with hearing without hearing

Judgment is entered upon agreement of the parties.

IT IS ORDERED granting judgment to:

Plaintiff(s)

\$ _____ Court Costs

Defendant(s)

\$ _____ Principal Amount

\$ _____ Accrued interest, if any

\$ _____ Court Cost

\$ _____ TOTAL

With interest thereon at the rate of _____ % per annum on principal amount from the date of judgment until paid in full.

With interest on court cost of _____ % per annum from the date of judgment until paid in full.

IT IS ORDERED dismissing this counterclaim with prejudice without prejudice

Date: _____

Justice of the Peace Hearing Officer

I CERTIFY that I delivered / mailed a copy of this document to:

Plaintiff at the above address

Defendant at the above address

Date: _____ By _____

Signature

**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.**