

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-036

Judge:

Complainants:

ORDER

May 31, 2024

The Complainant alleged a justice of the peace demonstrated poor demeanor toward a victim in a criminal 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 Regina L. Nassen and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 31, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-036

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.

Please See Attached Letter.

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007
Email: cjc@courts.az.gov.

To Whom it May Concern:

This letter serves as my official complaint against Judge _____ of the _____ Court. Please also see the attached Complaint Form.

I am the victim in Case No. _____ ; On _____, the Court held a Pretrial Conference to discuss a possible plea for the Defendant. I was present in the courtroom without my victim representative/attorney as he had a pending matter in a different court at the same time. However, my friend _____ was present for the entire hearing and witnessed what occurred. _____ can be contacted at: _____.

On the record and in open Court, Judge _____ and the Public Defender (_____) made an inappropriate joke at my (the victim's) expense. Judge _____ stated that she had not seen my victim representative/attorney make an appearance in my case. She then made a very inappropriate comment, " _____"

_____ She then laughed. The Public Defender, _____ restated what the Judge said and further stated that he believed the County Attorney nodded in agreement. The Judge and the Public Defender proceeded to laugh hardily. Judge _____ then made it a point to get the attention of the County Attorney and restated, " _____"

_____ To her credit, the County Attorney did not say anything however, the Judge and the Public Defender continued to laugh and suggest it should be converted to a civil matter. The Judge and Public Defender carried on this joke for a good two minutes continuously laughing and joking at my (the victim's) expense.

This inappropriate joke/comment wholly minimized the impact of the abuse I suffered at the hands of _____. This joke was intended as a form of victim blaming because my victim representative/attorney was unable to attend the hearing. Further, it is imperative that the Judge maintain neutrality throughout the process of a case being adjudicated. Her behavior and the behavior of the public defender, made it abundantly clear that they simply want this case to "go away." It is behavior like this that keeps victims of abuse from reporting their crimes or attending court hearings.

Judge _____ has a well-known reputation of saying inappropriate things from the bench. This behavior can no longer be tolerated. She must be held accountable for inappropriate courtroom behavior!

Respectfully,