

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-005

Complainant:	<input type="text"/>	No. 1275210613A
Judge:	<input type="text"/>	No. 1275210613B

ORDER

An initial review of the complaint filed in this matter reveals that the issues raised are legal or appellate in nature and do not involve allegations of ethical misconduct.

The complainant claims that the judge assigned to the case unfairly awarded custody of her granddaughter to the child's biological father in a lawsuit in which both parties were represented by counsel. Thus, it is clear on the face of the complaint that the complainant is seeking to overturn the judge's ruling.

Because the commission is not an appellate court and cannot change a judge's decisions, the complaint must be dismissed pursuant to Rule 16(a).

Dated: February 6, 2006.

For the Commission

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on February 6, 2006.

This order may not be used as a basis for disqualification of a judge.

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

FOR OFFICE USE ONLY

CJC-06-005

COMPLAINT AGAINST A JUDGE

Your name: [redacted] Judge's name: [redacted] 01-07-06

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

This case was an emergency hearing for custody. It was unfoundedly brought forth by [redacted] for her client [redacted]

I believe it is important at this point for me to mention that [redacted] did not file all of the papers properly and did not bring copies of everything so that the judge could look them over and provide copies.

The judge heard this case anyway.

[redacted] was the attorney for [redacted].

I am the mother to [redacted] and grandmother to [redacted]

January 07, 2006

CJC-06-005

On [redacted], 2005 Judge [redacted] heard case [redacted] in Arizona Family Court. (unfounded Emergency hearing) Please indulge my description of the injustice perpetrated by her ruling. The hearing was based on hearsay and very little truth. *The Judge asked for no proof. Whatever they said she believed as fact.* They even spoke about me, none of whom had ever even met me (except [redacted]). The 'court appointed' family advisor was [redacted]. She took the stand and spoke about how I would not make a good supervisor for visitation. She slandered me in court. I sat in the back of the courtroom. [redacted] (the other attorney) took up most of the hour with her witness' statements of slander against my daughter and me. My daughter made a mistake. I will never say it was all right to do so, but not to lose a child and with such little visitation!

My husband and I thought it may help if [redacted] knew us, so I phoned her after the hearing. She wouldn't speak to me until she got permission from both sides. She spoke to [redacted] without both sides permission. *She even made a statement of fact on the witness stand as to what he said.* When I asked her about this she told me it was because she called [redacted] and his [redacted] answered. If [redacted] started to speak with her, she should have cut him off as she did me. [redacted] told me she could be sued for talking to either side without permission from both sides first. [redacted] (my husband) and I have decided it would not be wise to speak with her. [redacted] statements were based mostly on what she was told, not proof. ***Not one iota of proof!*** I was unable to be a supervisor because [redacted] slandered me in court. The judge never asked her why she thought those things about me. If she had, she would have known it was heresy. ***Very unprofessional of the judge and [redacted]***

This poor little girl suffers daily to think we ALL have abandoned her! [redacted] is NO THREAT to [redacted] safety! *No family should be torn apart due to an uninformed decision!* [redacted] is only [redacted] Her life has been interrupted in so many ways! If it must be this way with her Mommy, then the rest of her life must be considered and turned back to normal. **This child's rights have been removed based on slander and lies under oath! Lies under oath!** Someone has to look out for this child's rights! This child has a right to the life that 'the people' have to pay because [redacted] can't afford it. It's ridiculous! It would be an emotional comfort to [redacted] to have my husband and I there and to have overnights at our house. **We have such love and devotion for [redacted]** **We would be first to have her removed from her mom if we thought it best!** The punishment for Mommy is too strict, but the one for my husband and I is *totally unjust based on lies!* [redacted] handled herself in a very unprofessional manner. How can a clients opinion be the basis of a 'Professional Opinion'? *How can a judge knowingly base a decision on that?* **This is just bizarre!**

In our home [redacted] has her own bedroom and bathroom. She owns a set of drums and has been taking drumming lessons. She has had an interest in the drums since she was about 1. No more computer lessons, church, library, reading, writing or spelling lessons. No more car seats! (which by the way is the law?) No more sense of security! [redacted] brain is going to atrophy! She is very smart! She is wonderful, loving, giving and she LOVES to learn! She has a need and a desire to learn! The judge took her away from her Mommy and 1/2 of her family, as well as 1/2 her friends! She has spent every Monday and Wednesday night with us since birth, including the nearly 2 years that [redacted] and his family wanted nothing to do with her! Now thanks to Judge [redacted] she no longer has that either! This judge actly rashly without thinking about the

child, or so it appears. Her father is [] years old. He went to school in the U.S. He still needs an interpreter for court? The entire family speaks little to no English! Our grand daughter is going to lose every preparation that we have made for her education! The other grandmother (where [] spends most of her time) still speaks very little English and has been here from Mexico since before her son was born. How is she going to help [] Very little English is spoken in their homes. That is not conducive to [] yearning to learn. I manage a restaurant and my husband is an aerospace engineer. We can teach our precious grand daughter. We love her so much! We would take her into our home in a heartbeat! She needs security, not just a house to live in where she is being treated with *disrespect and indignity!* (Willing to elaborate, if requested).

This case needs to be reheard fairly! My daughter is not perfect, but [] is absolutely not either! To get on a witness stand and lie the way that he did should prove him unfit as a custodial parent. May I remind you that this judge removed a [] girl from her mommy and handed her over to the biological father. A father that had nothing to do with her for 2 years and had tried to buy our daughter to take [] and get out of his life for good! [] is living with his parents! **Mother and child have not seen one another since [], 2005, (except 7 hours on Christmas Eve and 8 hours on Christmas Day) because of this ruling. The courts have unjustly taken away 50% of her identity!** She was so depressed during her visits at Christmas! It tore us all up when she begged us not to bring her back! A child should not have such worries! Her emotional and physical securities are very important to us! I don't have to be a psychiatrist to see and hear the damage this is doing to her!

The above information was all allowed in the courtroom that day. Judge [] didn't consider the child in this case. If she did, (after having such bad things said about my husband and I so that we could not be supervisors) why did she allow us to supervise both days at Christmas? If we were that bad, then she would be endangering a child! Either she had to have a doubt in her mind or she just didn't care! We certainly don't need more families torn apart by uniformed and uncaring judges! We feel that Judge [] needs to be more cautious when making such a life altering change to so many lives! She needs to weigh out FACTS as the scales of justice indicate that the law uphold. She has not only ripped apart the mother's life, but also this little [] girls entire existance as she knew it! She has put us all through such a depression after not having done anything wrong! We feel as though the courthouse was the *scene of a terrible accident* last [] 2005! *We lost our beloved grand daughter, whom we have cared for and loved for all of her life to an easy way out for a judge to finish a court hearing!*

Thank you!

