

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-204

Complainant: No. 1315500430A

Judge: No. 1315500430B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised involve legal and procedural matters outside the jurisdiction of the commission. The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: November 16, 2007.

FOR THE COMMISSION

\g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 16, 2007.

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

Attachment to Judicial Complaint:



CJC-07-204

I am filing this complaint because I feel my daughter has been severely damaged by court orders brought down by Judge [redacted] since year 2000.

I originally filed a case for child support which opened up a case for custody between myself and my child's father, [redacted]. During the course of the custody trial, the custodial evaluator, [redacted] addressed that there were issues of Domestic Violence. My ex had severely brutalized me in front of my child on [redacted] and my daughter witnessed the incident. I lived in various women's shelters prior to the trial.

My sister, [redacted] was a witness in the trial and testified that she had taken me to get a restraining order. The judge did not acknowledge the issues of domestic violence whatsoever and gave my ex extensive visitation.

Within 6 months [redacted] moved to [redacted] with another woman who he committed more acts of domestic violence against and she obtained a restraining order that stated this by an [redacted] court. When I tried to introduce this as evidence of ongoing violence in his home that my daughter was being subject to, the judge objected to it being "relevant."

I brought up various allegations of emotional abuse against my daughter as well as alcohol abuse and domestic violence. All of these records were submitted to the court as evidence and all of them ignored. There were approximately 5 police reports, police testimony to my ex's verbal abuse of my daughter on the phone, and intoxication. The only thing addressed was the alcohol abuse and [redacted] was court ordered not to consume alcohol in her presence.

My ex also waged a huge suit against me for "parental alienation syndrome" which was extensively addressed by the judge in approximately 5 trials in [redacted] (and was dismissed) but caused me severe anxiety -- yet, none of the issues of his ongoing abuse of her were even addressed in these 5 trials (such as the fact he called the police on the [redacted] girl and reported that she stole a "crystal skull" which he later found in a dresser drawer).

When finishing my degree I moved to [redacted] during [redacted] visitation and when my daughter returned to me, she stated she witnessed 4 domestic violence incidents between my ex and his then current (and third) girlfriend whom he had another child with. She was plummeted into depression, hospitalized and diagnosed with Post Traumatic Stress Disorder by a psychiatrist in [redacted]. My ex then filed for custody in [redacted] and I moved to [redacted] to protect my daughter.

Another court case came up where 3 judges including [redacted] decided even though I lived in [redacted] that Arizona still had jurisdiction and hear yet ANOTHER custody case. Although my ex was not given custody of my daughter, none of the issues of domestic violence were

addressed, my daughter's counselor's letter addressing her severe issues and psychological problems and fear was objected to as evidence and even though the hospital records were admitted as evidence, NONE of the evidence of domestic violence was addressed. A custodial evaluation was ordered and nothing was changed in visitation.

I later found out that 10 days before this second custody trial my ex was arrested for domestic violence against the third woman, has 2 restraining orders against him (civil and criminal by her) and that their child in common is currently being protected in [redacted] through supervised visitation. My ex is now on 3 years of probation in [redacted] for that incident.

Despite all of this, my ex still has extensive (and the same) visitation of my daughter, continues to psychologically abuse her to the extent that her well being is plummeting, she is depressed (as reported by her childcare provider) and my ex is STILL harassing me over every single issue (transportation fees, etc.) that comes up.

All of the records of this have been transferred to the Custody Evaluator, [redacted] at my request that he return the files when I called him to request that he return them ASAP, he insinuated that he would only return the files I really needed! Even though I clearly stated I NEEDED THEM ALL BACK and that I was only letting him borrow the documents for the custodial evaluation. All evidence of these incidents are in those files as well as in the court file at [redacted]

I believe now that [redacted] Court and Judge [redacted] are severely negligent of my daughter's well being and are responsible for her plummeting emotional state and major depression that she is undergoing even now. I am in serious need of help, appeals, or something to resolve this issue and protect my daughter.