

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-042

Complainant: No. 1386210700A

Judge: No. 1386210700B

ORDER

The complainant alleged, in part, that the judge pre-determined her claim and made an improper statement suggesting that individuals represented by an attorney have more standing in court than litigants who represent themselves. After investigating the allegations, the transcript of the hearing, and the judge's response, the commission found no evidence of ethical misconduct on the part of the judge. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: June 17, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 17, 2010.

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

FEB 12 2010

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

February 10, 2010

In regards to the matter of:

JD - Juvenile Court - 3131 W. Durango - Phoenix AZ

Former attorney for
Jeffrey Zurbriggen - 301 East Bethany Home Road - Suite C-250 - Phoenix, Arizona 85012
Tel: (602) 631-4444 Fax: (602) 225-1846 jz@jzurbriggenlaw.com

This complaint is against Judge _____ of the Juvenile court located at 3131 W. Durango - Phoenix AZ. This complaint is in regards to matters pertaining to _____ (this complaint is not in regards to matters pertaining to LaSasha Cherry).

Judge _____ has shown no regard for my constitutional rights. A case in point is my right as great-grandmother to be made a party to the case was denied many times by Judge _____ until I obtained an attorney and finally my motion to be a party to the case, filed on 6/8/09, was granted on 7/8/09 and my Motion to Intervene filed on 6/9/09 was likewise finally accepted on 8/13/09.

During a hearing following my acceptance as party to the case and while my attorney was present telephonically, Judge _____ made the statement, "The only reason I allowed her to become a party to the case is so she would have an attorney to serve as a buffer between me and her so she could not write anymore letters to me". During this particular session (possibly 9/10/09 or 9/21/09) I felt like I was in among a pack of wolves and in all due respect, Judge _____ was the leader of the pack. CPS, G.A.L. and AZ State Attorney General were the pack. Judge _____ words held a clear lack of compassion for my intense, heart rendering efforts to gain custody of my great grandchildren. In hind sight I now realize the words of Judge _____ should have enlightened me that she never intended to rule in my favor no matter how hard I argued in my own behalf (following the withdrawal of my attorney which was filed on 9/28/09).

However, my chief complaint at this point is, the fact that Judge _____ denied my right to appeal, the manner in which this appeal was denied and the reason for which my right to appeal was denied. My appeal was filed on December 4, 2009, the denial to my appeal was dated December 7th but was not mailed until December 15th 2009 resulting in an expiration of time that could have allowed for any needed corrections and re-filing of the petition for appeal.

I plan to file a new appeal in regards to a hearing before Judge _____ held on February 8th 2010 in which my request for physical change of custody of my great-grandchildren to me was denied again. I also plan to appeal the motion made by the AZ State Attorney, that I be dismissed as party to the case. This motion was accepted by Judge _____ which brings into play the ethics behind dismissing me so the children can be adopted by non-relatives. My fear is this new appeal will likewise be denied by Judge _____ and therefore I am filing this complaint because I want to make sure that this appeal will be processed.

In the appeal denial dated 12/7/09 and mailed 12/15/09 (Minute Entry) Judge _____ stated as her reason for denial, "THE COURT FINDS that the written request does not meet the statutory requirements nor comply with the Rules of Procedure for Juvenile Court or the Arizona Rules of Civil Appellate Procedure."

The website for the Clerk of the Superior Court of Maricopa County - Appeals - says the following:

How to appeal?

There is no official form to file for an appeal. Therefore, on a blank sheet of paper, a person must provide the following information:

* Appellant Name and Address _____	
* Case John Doe v. Mary Doe	* Case No. _____ Notice of Appeal
* Body of Appeal (What ruling is being appealed. Date of Ruling and Appellant Signature)	

The forgoing information was provided in my request for an appeal dated December 7, 2009.

I have a long list of many issues and denials that have taken place in the courtroom of Judge _____ between the dates of November 2008 and February 2010.

At this point, I simply want to get the latest denials that have occurred on February 8, 2010 before the Appellate Court without hindrance on the part of Judge _____

In my opinion Judge _____ has failed to, "perform the duties of judicial office impartially and diligently", in matters pertaining to this case, especially from November 2008 through February 2010.

Sincerely Yours,