

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-045

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Complainant: No. 1370210692A

Judge: No. 1370210692B

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**ORDER**

The complainant alleged that a superior court commissioner was rude and condescending and misrepresented what happened during the hearing in a minute entry. After reviewing the complaint, the response, and the transcript of the hearing, the commission dismissed the matter with a private advisory letter reminding the commissioner to be prepared for cases and to be patient and courteous as required under Rule 2.8(B). The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: June 16, 2010.

FOR THE COMMISSION

\s\ William Brammer

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J. William Brammer, Jr.  
Commission Chair

Copies of this order were mailed to the complainant and the judge on June 16, 2010.

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

2010-045

February 07, 2010

FEB 16 2010

Case # FC-

AZ Commission on Judicial Conduct  
1501 W. Washington St. Suite 229  
Phoenix, AZ 85007

Dear Commission:

I feel that it is my duty to report to you my experience in Commissioner courtroom on January 14, 2010. Appearing as the petitioner for a Review/Enforcement hearing, I was treated with the lack of dignity and courtesy that I came to expect from a Judge.

Please allow me to tell you what happened: First of all, she stated that she didn't even know why I was on her calendar. I tried to explain but was NOT allowed to speak although I politely asked at an appropriate time. I did have a minute to clarify an issue of a "no show" on November 20, 2009 which I received a letter of postponement from the court. Never at any time did I interrupt her or the Court. She continued to go through her papers and requesting more documents from her assistant to try to decipher why I was there. This went on for approximately 15 minutes. I had attempted to communicate with her at a time of silence but was scolded to "not speak, and do I need to take a break in the hallway"? She spoke to me like I was a child. I was only allowed to answer yes or no questions without any details necessary to clarify my answers. I patiently waited to speak and asked two more times if I may say something and was told either "no" or she put up her hand toward me as to "not speak". I even raised my hand to be called on because I needed a drink of water (none was on either table) but was ignored. My throat was dry and I didn't want to start coughing, so I got a piece of gum from my purse as my only option.

Commissioner continued to draw her own conclusions and stated that the Defendant was in full compliance and that no further review hearing will be scheduled. She stated that this case was adjourned, denying me my right to be heard. My right to be heard is an essential component of a fair and impartial system of justice.

She was wrong on several issues such as child support arrears of over \$2400.00 and a previous dental bill which was ignored although on the agenda of items to follow up on. She stated that only \$79.00 was owed on arrearages.

Upon Commissioner announcement that we were adjourned, I informed her that all issues had not been addressed and she KNEW that I had previously requested to speak. Again, treating me like a child she told me "I have already warned you".. Not being able to say anything else in fear of being taken away in handcuffs, I reiterated that

we are adjourned so I picked my purse and left the courtroom.

If you will take a minute to look at my case history you will see a very lengthy history of non-compliance by my ex-husband. Thus, having a review hearing is an excellent idea.

Words cannot express how she made me feel that day when I left the court as tears streamed down my face driving home. Shocked and amazed that the family court would treat me that way is an understatement.

I have received a minute entry for that day and see that Commissioner has told numerous lies obviously to cover herself and set me up for future problems when and if I need to go back to court. Confirming her unprofessional behavior that day, she noted that I "began smacking my wad of gum throughout the rest of the hearing". I DO NOT smack my gum ever, and surely if this was the case she would have told me at that moment. If my treatment that wasn't bad enough for this letter to be written, it is surely grounds for a complaint since she, a sworn officer of the Court has LIED on this court document.

To sum up my complaint, Commissioner failed to have matters fairly heard with an intentional disregard, abused her powers of authority, and has intentionally misrepresented the facts on a court document. This is not about her decisions made, but to her misconduct in the courtroom. I implore the commission to obtain video or audio tapes from the court that day to prove what I am saying is true.

Under penalties of perjury I swear to my statements being true.

Sincerely,