

State of Arizona Supreme Court
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-320

Complainant:	No. 1443010667A
Judge:	No. 1443010667B

ORDER

The complainant alleged a superior court judge was rude, unprofessional, and improperly disregarded key evidence.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing all of the information provided by the complaint and listening to the recording of the hearing, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: April 10, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judges on April 10, 2013.

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

To The Commission on Judicial Ethics,

On November 8th, 2012 at 9:00 am, a telephonic conference took place involving _____ and _____ was NEVER provided any contact information on how to reach Judge _____ court. When Judge _____ clerk finally called me, she was rude and unprofessional. She was upset because I didn't call Judge _____ division, but at the same time acknowledged that I was never provided contact information, prohibiting me from calling Judge _____ division. The November 8th 2012 telephonic conference was set because Judge _____ had recused himself from this case and Judge _____ was now assigned. A custody evaluator was to be appointed as well. Prior to this telephonic conference I submitted and filed with the Maricopa Superior Court, a request for a telephonic hearing to address 1) The appointment of a custody evaluator and allocation of fees. 2) Petitioner's continual denial of Respondent's Court Ordered daily telephone calls with minor son. 3) Respondent's parenting time, since Respondent did not have minor son during court ordered summer vacation and fall break. Included in my request for a telephonic hearing I provided copies of letters from Arizona DES stating that important CPS reports regarding this case have been lost. The initial custody evaluator who did a limited scope evaluation also sent an email stating that the case was impacted due to CPS reports that were never provided to him. These missing CPS reports have affected this case entirely, and more importantly placed a child in a dangerous environment. Judge _____ behavior on November 8th 2012 is unacceptable. Not only was he rude, but he would ask me a question and then cut me off and scream at me for talking, when I was just answering his question. I tried to bring up the letters from DES and Dr. _____ and Judge _____ response was, " I DON'T CARE! ". This case is being followed by Washington State media and Washington State Advocacy Center for Children; due to the fact that my son has made disclosures of physical and sexual abuse by mother and step-father to health care professionals and mandated reporters in the state of Washington where my wife and I live. Yet the Maricopa Superior Court Judges are refusing to look at the State of Washington's reports, inflicting further harm upon my son. It is no secret that Arizona is having massive issues with CPS and court reform, vital information is being lost placing children in high risk environments. I have received an official letter from the State of Washington's Department of Social and Health Services Division of Children and Family Services regarding CPS reports from Washington State. I have attached a copy of this letter along with this complaint. I mentioned this letter during the November 8th 2012 telephonic conference and Judge _____ once again screamed "I DON'T CARE". If Maricopa Superior Family Court Judges' "DON'T CARE" about important documentation impacting a child's well-being, then who protects the children? Judge _____ has now set a trial date for February 13th, 2013, and yet Washington State CPS records will not even be released until February 22nd, 2013. Judge _____ refused to address any other issues that had been submitted to this court. A competent Judge needs to be assigned to this case, one who has experience in family court and that can point out the obvious discrepancies, which are continually swept under the rug.