

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-140

Judge:

Complainant:

ORDER

The complainant alleged that a superior court judge verbally assaulted her and made inappropriate statements. She also alleged the judge made incorrect and unfair rulings.

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 review, 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: June 25, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on June 25, 2014.

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

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

FOR OFFICE USE ONLY**2014-140****COMPLAINT AGAINST A JUDGE**

Name: [REDACTED]

Judge's Name: [REDACTED]

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

On the hearing in [REDACTED] Judge [REDACTED] verbally assaulted me in court claiming that I was a bad mother and person for repeatedly taking my ex-husband to court and for exposing our [REDACTED] to the events in the court.

Judge [REDACTED] has no idea whether or not I am exposing my [REDACTED] to the events of the court and when I explained to her that I try very hard to keep this from my [REDACTED] so it doesn't effect him, she questioned what I was saying.

Judge [REDACTED] accused me of not signing a court document because the Respondent's lawyer was allowed to persuade her prior to court that the hearing we were presently there for was for a parenting time plan and not for his client taking our [REDACTED] out of state without notice. I attempted to explain to her that the lawyer was not being accurate and I had never refused to sign the paperwork, that I had only questioned the wording Mr. [REDACTED] used as it didn't feel accurate to what the judge had ordered, then again verbally attacked me accusing me of not signing the paperwork and attempting to change things in the plan after it had been agreed upon. I tried to explain to her that Mr. [REDACTED] had not given me a complete and accurate copy of the order until about [REDACTED] days prior to the hearing on [REDACTED]. He had taken [REDACTED] days to get the paperwork accurate, as he continually left out child support orders by Judge [REDACTED]. Judge [REDACTED] would not allow me to explain myself in court and to tell her that Mr. [REDACTED] was not being honest and twisting the events to fit his argument to hide the fact that he didn't provide me with a copy of the compelled and accurate Final Order in a timely manner.

In a hearing in [REDACTED] for parenting time and relocation, the only issue

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the parties could not resolve was the issue of vacation time. Judge [REDACTED] made her order, which I questioned due to her unfairness and onesidedness to the other party. Her response was something to the effect of, i'm not here to be fair to anyone, its my ruling so deal with it. In the hearing in [REDACTED] when I brought up the issue of the lawyer changing wording to allow more time to his client, her response was to the effect of, you agreed to everything before. I had never agreed to it, the ruling was forced upon me and I delt with it. However, i believed that Mr. [REDACTED] had changed the wording ever so slightly to allow even more time to his client. Judge [REDACTED] wouldn't even look into my questions about Mr. [REDACTED] honesty. It is my legal right to challenge the lawyer if I believe that he is not writing up documents as ordered in court. I was never provided proof that he was accurate and was never allowed to argue his accuracy. Judge [REDACTED] never even entertained that accusation that the Lawyer was not being accurate in his interpretation of the [REDACTED] Judge [REDACTED] allowed Mr. [REDACTED] to lie in court multiple times regarding his client taking the child out of the state of Arizona without notice. First sighting that his client never removed the child, then stating that his client removed the child but gave notice to the other party (me) first, but verbally. Both of these are lies that Judge [REDACTED] never questioned or looked into. In fact, Judge [REDACTED] told me I am a bad person for taking my ex-husband to court. She never addressed the other party about the fact that he broke the parenting agreement and left the state without notice, even though I had

Tons of evidence proving he did remove the [REDACTED] and they lied about it, and they had none. I was not allowed to present the evidence. Judge [REDACTED] only told the respondent, to the effect of, it won't happen again, will it. Which is fine, but then she continued to tell me that I am being irrational by taking him to court.

Judge [REDACTED] ruled that I am responsible for the Respondent's legal fees dating back to [REDACTED]. That is all fine, and I would pay it, except that it wasn't my fault we went to court as Judge [REDACTED] claims. I have evidence showing the respondent moved without a written agreement or a court order, he requested that I go to court in [REDACTED] of [REDACTED] to be able to move to [REDACTED]. I had asked him in [REDACTED] to get an agreement so that we could relocate. He agreed, then later didn't agree, then agreed, then later didn't agree and told me to go to court to move, even though he had already relocated in between that time against the parenting plan.

Judge [REDACTED] claims that I repeatedly take the respondent to court for no reason, however, every time I have taken him to court it is because he broke the parenting plan. He doesn't pay his child support, he removes the child from the state without notice and he moves against the parenting plan guidelines. I shouldn't have been responsible to pay for something that the respondent requested I do, even though I tried for [REDACTED] months to get him to come to an agreement outside of court.

Judge [REDACTED] has proven that she is extremely biased in her ruling. I understand that you can't reverse her ruling, however, I ask that she be reprimanded so that she cannot do this to anyone else. I was within my rights to go to court as the respondent could not abide by the parenting plan, repeatedly. And Judge [REDACTED] is calling it harassment and ordering that I pay for all of his legal fees. She is not understanding the facts of the cases, does not care to look at the reasons why they were filed, did not allow me my opportunity to respond in court to accusations Mr. [REDACTED] made, and allowed Mr. [REDACTED] to run the court. Every accusation Mr. [REDACTED] had, the judge went with. She made no attempt to hear otherwise. Judge [REDACTED] sees many cases like this daily, and a judge who can't rule fairly shouldn't be allowed to be in court. These are people's lives she is ruling on. She has no clue what has gone on in our past and she didn't care to know that it was relationship with domestic violence, harassment and stalking, which led to the police being called multiple times and an order of protection against the respondent which he still continued to harass and stalk.

I don't have an issue with judges rulings. I respect judges & for the most part are here for the greater good. However, Judge [REDACTED] prejudices towards me has led her to a very biased & unfair ruling. I believe both parties should have been responsible for their own legal fees, not just one. Now I am having to pay for my ex husband's lawyer when I can't afford one for myself, or even to afford to pay the fees she is wrongfully imposing on me.

Thank you for your time & consideration in this matter.

[REDACTED]