

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-143

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge and superior court commissioner had been unfair to and prejudiced against her in a family law case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judicial officers 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 judicial officers 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 judicial officers on June 25, 2014.

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

The enclosed document is to file an official complaint against [REDACTED] [REDACTED]. I have listed both [REDACTED] and Judge [REDACTED] [REDACTED] because both presided over hearings in the same matter, however [REDACTED] [REDACTED] unfairness, biased and out right untrue statements played a large role in the outcome of this matter.

In addition to filing this complaint, I am contacting and forwarding case information to the [REDACTED] [REDACTED] Council members throughout [REDACTED] County as well as Committee on the Impact of [REDACTED] [REDACTED] and Courts members. I lived nothing short of a nightmare in Arizona, and sadly my x-husband still continues to stalk.

These are the following area that [REDACTED] [REDACTED] failed to meet Judicial Codes

Rule 1.1 Comply with law.

[REDACTED] [REDACTED] witnessed Mr. [REDACTED] attorney be served an Order of Protection before her in court. In one hearing she actually referred to the order as a "thingy", stating to me that it was safe to give him the school address, because your protective "thingy" will keep you safe. [REDACTED] mandates that these "thingys" be followed, [REDACTED] certainly acknowledged it, but never read or followed it.

Rule 2.2 Impartiality and Fairness

Although Arizona law did not mandate the review of the long abusive history in this matter, it does state that fairness should be displayed, in no way was it fair to review a [REDACTED] month [REDACTED] Class certificate, and outright refuse to review documents supporting the severity of violence and death threats involved, another [REDACTED] had ordered supervised visits after I was beaten in a parking lot during visitation exchange. [REDACTED] [REDACTED] never mentioned any of the on going problems that I brought to her attention. Prior protective orders, hospital reports, copies of text messages from Mr. [REDACTED] [REDACTED] cell phone sending death threats, none were reviewed, documents supporting more than [REDACTED] years of abuse, all ignored by her refusal to review.

Rule 2.8 Professionalism

Referring to an Order of Protection as a "thingy" in no way demonstrates professionalism, in every fatality assessment that I have taken, I have scored as being high risk to meet with death. Had [REDACTED] [REDACTED] exercised professionalism and fairness, this matter would not have gone on. Mr. [REDACTED] continues to stalk, all of his actions have continue to be malicious and [REDACTED] [REDACTED] helped him build an even stronger confidence in his ability to avoid justice. Mr. [REDACTED] never responded to my opening brief in the [REDACTED] Court, he is very aware that I am well able to prove his abuse, after the court refused to make a ruling in the matter, Mr. [REDACTED] immediately returned to the [REDACTED] Court seeking the same favor.

Statements made in [REDACTED] [REDACTED] minute entries do not truthfully reflect the actual hearings. Not once did I ever state that I did not want Mr. [REDACTED] to have parenting time, I requested supervised visitation, in fear of his obtaining an address from the [REDACTED] [REDACTED] I knew this would be

needed. [REDACTED] never mentioned any of Mr. [REDACTED] actions in her minute entries. The minute entries even conflict the statements from other entries. It is stated in the [REDACTED] entry that I fled the state and never contacted the courts. Court records show that I filed to leave the state, fearing for my life, records will also show that I filed electronically making the courts aware of my departure. I also filed several times to make telephonic appearances. The [REDACTED] statements are not true and painted a very ugly picture.

I am urging [REDACTED] County law makers to change the laws in Arizona, I will continue to share my experience and suffering so that other women may someday be protected. I pray no other parent and [REDACTED] have to die in [REDACTED] matters. What others see so clearly, [REDACTED] simply ignored.

I wish to file a complaint in regards to the court hearings in which [REDACTED] [REDACTED] presided over in regards to the case of [REDACTED] vs. [REDACTED]. This is a very serious matter and the impact of [REDACTED] actions have greatly affected the lives of myself and [REDACTED]. In addition to filing this complaint, I have also sent the information to [REDACTED] [REDACTED] ([REDACTED] [REDACTED] Officer of [REDACTED] and [REDACTED] Relations at the [REDACTED] and [REDACTED] Relations), I have also contacted several members of the [REDACTED] Violence Council in [REDACTED] County. A request is also being prepared asking the [REDACTED] County Attorney's Office to review the matter and to help obtain further documentation in the offences against myself committed by Mr. [REDACTED].

Arizona Judicial Codes states that a judge should exercise fairness, in my last complaint it was decided that [REDACTED] did not have to view my documents of a long history of serious [REDACTED] violence and death threats, however she did allow Mr. [REDACTED] to approach the bench with a [REDACTED] month certificate for completing a [REDACTED] violence [REDACTED] in [REDACTED] County. More than a decade of violence, hospital reports, police reports, documents from a therapist, Mr. [REDACTED] suicide attempt (with children being present in the home at the time, me arriving at [REDACTED] Hospital with a blood count of a [REDACTED] and a [REDACTED] sized uterus, but no fetus, Mr. [REDACTED] had refused to allow me medical treatment) his refusing a psychiatric evaluation etc. [REDACTED] refused to review any of my documents, explaining my pleading for supervised visits. This in no way was any form of fairness. This was serious injustice, with decisions being later made based on minute entries that were not true. I am asking that the recorded hearings be reviewed, I am certain the [REDACTED] actions were not only unfair, but highly unethical. In one hearing [REDACTED] ordered me to give Mr. [REDACTED] the school information for the [REDACTED], I am certain, if [REDACTED] had read the [REDACTED] orders and viewed Mr. [REDACTED] prior actions [REDACTED] would have understood my fear. I still fear for my life daily, I am still stalked by Mr. [REDACTED] Commissioner [REDACTED] empowered Mr. [REDACTED] to continue his abuse. A [REDACTED] month [REDACTED] violence class in no way erases many years of abuse. Amazingly, even after assaulting me during a visitation exchange (on camera at a [REDACTED] with numerous [REDACTED] employees and shoppers witnessing the assault, and numerous [REDACTED], which are also permanent records of the assault) Mr. [REDACTED] still denied the assault ever happened. Our children were present, [REDACTED] never asked to question the children as well. [REDACTED] had previously ordered that all of Mr. [REDACTED] visits be supervised. [REDACTED] totally disregarded any of this. Do I have to die before Arizona's judicial system reviews this matter fairly? To further support my efforts in trying to explain just how unfair [REDACTED] was in this matter (records will show that I appealed the decisions made by Judge [REDACTED] [REDACTED] which were determined based on the documentation from [REDACTED] Mr. [REDACTED] never responded to my opening brief in the [REDACTED] court, I told of numerous incidents of abuse, all phones being removed from the home after [REDACTED] were able to [REDACTED], being denied food, left in a foreclosed home with [REDACTED], his turning off all utilities after he found a divorce packet that I had obtained from a court in [REDACTED] death threats, his prior assaults on other people, etc., Mr. [REDACTED] never responded, the [REDACTED] Court extended his date to respond [REDACTED] times, even without his requesting an extension. He never responded. Amazingly in [REDACTED], after the [REDACTED] Court refused to make a ruling in the matter, Mr. [REDACTED] immediately went back to the [REDACTED] Court, where he could be certain these matters would not be taken into consideration, but he never responded to the [REDACTED] process. In addition to returning to the [REDACTED] Court, he hired a private investigator who contacted a prior landlord and previous employer, but never would respond to the matter in the [REDACTED] Court. I am grateful that Judge [REDACTED] did not grant Mr. [REDACTED] the warrant for myself and [REDACTED] [REDACTED] empowered a very dangerous man. If

the documents had been reviewed, Mr. [REDACTED] prior assaults would have been taken into consideration, Mr. [REDACTED] has continued to elude the court systems in many assault and drug charges, and I provided Judge [REDACTED] with a copy of Mr. [REDACTED] record (prior to all of his expungements) Mr. [REDACTED] hired a man by the name of [REDACTED] to shoot his ex-wife [REDACTED] boyfriend [REDACTED] Mr. [REDACTED] was arrested in my mother's house ([REDACTED] [REDACTED] after assaulting me and at this time police realized he had an open warrant for this crime), he often bragged of this, Mr. [REDACTED] moved to [REDACTED] to avoid facing Mr. [REDACTED] in court.

The second issue I would like to review is the matter of the [REDACTED] County Protective order, [REDACTED] (Mr. [REDACTED] attorney was given a copy of this in court), [REDACTED] gave reference to this order of protection as a "thingy", Commissioner [REDACTED] stated that my protective thingy would keep me safe, then asked me to forward the school address to Mr. [REDACTED] she also ordered face to face [REDACTED] exchange, after a [REDACTED] County judge had ordered it to be done at the [REDACTED] Police station by an adult at least [REDACTED] years of age, I had [REDACTED] and co-worker in place to make the exchange of [REDACTED] both at pick-up and drop off, it should have alarmed the [REDACTED] when Mr. [REDACTED] still insisted that I be present during visitation exchange. It had also been explained to Mr. [REDACTED] by [REDACTED] that he needed to arrange supervised visits, however [REDACTED] disregarded all prior actions. After being brutally beaten during a visitation exchange she still ordered me to see Mr. [REDACTED] face to face. [REDACTED] clearly demonstrated her thoughts of seriousness towards this matter when she referred to the order as a "thingy". I received permanent damage to my body as a result of the last beating from Mr. [REDACTED] in the police report it states that bruising in the lower back had started to set in, I was choked nearly unconscious in front of [REDACTED] on a crowded [REDACTED] parking lot.

[REDACTED] should have taken this more serious. Does my life not matter? How many women have to die, before it is realized when someone tells you they are going to kill you, they mean it? An order of protection is not a "thingy". Mr. [REDACTED] would not respond in the [REDACTED] Court, but certainly he returned to the [REDACTED] Court in hopes of more undue favor, and where an Order of Protection is thought of as a "thingy". A [REDACTED] court judge should be more aware than most of danger signs, in every fatality risk assessment that I have taken, I scored as being in the highest category of a possible victim of death. I fear daily that eventually he will find us. As stated before, immediately after the [REDACTED] Court did not make a ruling he also hired a private investigator, amazingly Mr. [REDACTED] was ordered to pay [REDACTED] in back [REDACTED] by Judge [REDACTED] of which he never paid, but he had money for an attorney and private investigators. This matter is so clear for all to see.

The third matter that I would like to visit is the major discrepancies in [REDACTED] minute entries. Again, I ask would it be fair to only note certain facts when playing a role in determining issues of human lives. Even more so the entries directly conflict each other, leaving the question was it intentional? If one were to review the court hearings, certainly it would be found that the entries are untruthful and very important statements and occurrences were left out.

- Mr. [REDACTED] admits in court before [REDACTED] that he did move from a top floor apartment, to a downstairs apartment, that he did change his cell phone number, and that he did quit his job, giving myself no way of contacting him (court records will show I was diligently seeking [REDACTED] to help with the care of [REDACTED], [REDACTED] were [REDACTED] / [REDACTED] then asks me if my number was the same along with other information, I informed her that my

some help in collecting [REDACTED] (that Judge [REDACTED] had ordered him to pay).

[REDACTED] later creates a minute entry that doesn't coincide with any court hearing, stating that I asked Mr. [REDACTED] to keep the [REDACTED] for a long unspecified period of time, after not wanting him to have [REDACTED]. In the earlier entry that actually coincided with a hearing it is stated that I asked the Father to keep the [REDACTED], because of financial problems with [REDACTED]. Even still it is never mentioned his refusal to help with [REDACTED], a [REDACTED] attorney Mr. [REDACTED] is able to afford

- On [REDACTED], [REDACTED] creates a minute entry in no relation to any hearing, this document is full of discrepancies and no mention of Mr. [REDACTED] actions toward myself. She states that I asked father to take [REDACTED] for a long extended period of time without explanation, and that this is without notice to father. In the [REDACTED] minute entry from [REDACTED] it clearly states that, mother notified courts of her problems with [REDACTED], [REDACTED] is careful to mention that I was late for court, never mentioning that I explained to her that I was outside searching for free parking and also had to travel from [REDACTED] County, report to work in [REDACTED] then travel to court. This minute entry also states that I have had no contact with the courts, a review of my filings will show that I continued to file for telephonic appearances and the [REDACTED] even mentioned in an earlier minute entry that mother had left Arizona. I had stated early on that I filed a motion in [REDACTED] seeking permission to leave the state. I am not from Arizona, I had no real safety support, and Mr. [REDACTED] offered no help in supporting [REDACTED]. [REDACTED] also awarded Mr. [REDACTED] monetary compensation for missed visits. I am still amazed that no one in the [REDACTED] Court ever did anything to enforce the collection of the [REDACTED]. Mr. [REDACTED] had been ordered to pay in back support, also the hearing that I filed for requesting to leave the state in [REDACTED], was never scheduled until [REDACTED]. Not once is it ever mentioned that I reported to [REDACTED] that Mr. [REDACTED] had contacted my place of employment, Mr. [REDACTED] denied the action, however the agency director ([REDACTED]) confirmed with me that in her [REDACTED] of service, no one had ever gained the direct land line to the site in which I worked, this particular site serviced [REDACTED] emergency situations, clients [REDACTED] members were not even given the location or address. With the exception of [REDACTED] Services, case managers and other employees, no one had access to the site's land line, this information was not published, and however this information was in my [REDACTED] phone making it available to Mr. [REDACTED] by simply removing the phone from her purse when unattended. [REDACTED] never mentioned this was reported. A few days after the phone call an unidentified male came to the site, knocked on the door and stated that he was buying property in the area and wanted feedback. The [REDACTED] and I with [REDACTED] were inside at this time. The man was told that we were unable to share information. This person then returned to his car and drove off. I am certain that my x-husband was able to have the land line researched and matched to an address. With Mr. [REDACTED] simple denial, [REDACTED] never questioned it, the Assistant Manager and Agency Director had written statements, and [REDACTED] offered to appear if needed. Had [REDACTED] reviewed documents in relation to a long abusive history, she would have seen that an employer in [REDACTED] had to bring in a contractual safety person to devise a work place safety plan more than [REDACTED] years prior, whenever I stood my

number was the same and Mr. [REDACTED] had called the number before and my employer was the same. I also explained to [REDACTED] that there were neutral contacts between us, yet Mr. [REDACTED] only used those people to make inquiries of my relationship status and home address./ Still, [REDACTED] held me in contempt for Mr. [REDACTED] not having visitation. [REDACTED] had also mandated Mr. [REDACTED] be responsible for arranging supervised visits, he never did so) still [REDACTED] held me in contempt.

- During the start of the hearing, I stated to [REDACTED] that I was asking for supervised visits, not once did I request no visits, I also told her that I had a well-documented history of abuse, [REDACTED] response, her exact words are, "What do you mean well documented abuse", I then responded, "documents showing he has abused me" and I held up a large 8x11 business envelope with case history information and asked her to view the items, [REDACTED] refused./This is never mentioned in the minute entry, it is never stated ever that there was a long history of physical abuse, however directly after this Mr. [REDACTED] is allowed to bring a [REDACTED] certificate to the bench.
- Mr. [REDACTED] attorney is allowed to read selected sentences from a face book message that he sent days prior to the court hearing, if one were to review the recording it would actually allow it to be heard when the attorney stumbles into a part that I wrote, stating, you will never beat, she then stops and starts reading Mr. [REDACTED] part of the message,/I asked [REDACTED] if I could read the whole message, both parts, she again refuses, it was also printed out and included in the other documents she refused to review Again none of this is in the minute entry.
- In the first hearing Mr. [REDACTED] states that he is able to have visitation at any date and any time, stating that he is home all day and doesn't work, in the very next hearing he wants to stop the [REDACTED] (weekday visit), [REDACTED] reprimands him, reminding him that this was his petition/ This was never mentioned in any minute entry, all of [REDACTED] entries reflect all negative [REDACTED] of myself which are very unfounded.
- I reported to [REDACTED] in the next hearing that my [REDACTED] were questioned in detail about who I was dating, if I was married, if I was still with [REDACTED] he in particular had questioned them about a person named [REDACTED] / [REDACTED] never mentioned this in the minute entry, this was very frightening because I had been assaulted twice in relation to [REDACTED] even more frightening is that [REDACTED] did not exist, [REDACTED] was a [REDACTED], that was friend of a neutral friend, if [REDACTED] had reviewed the documents she would have seen the death threats in relation to [REDACTED], an arrest record of me being assaulted and a protective order with a petition stating that he had threatened to kill both me and [REDACTED], this was nearly [REDACTED] years later and Mr. [REDACTED] was still asking about [REDACTED] / [REDACTED] only response to Mr. [REDACTED] was, " If this is happening it needs to stop, you have got to keep your personal feelings out of this. Never is this documented in the minute entries. Had [REDACTED] reviewed documents she would have seen a null process in the shooting of his prior wife's boyfriend along with text messages from a prior [REDACTED] phone owned by Mr. [REDACTED] sending me death threats over [REDACTED]. She also never asked to speak with [REDACTED].
- Several entries directly conflict each other, in one entry it states that I asked Mr. [REDACTED] to keep the [REDACTED], explaining to the court that I am having serious difficulties paying for the [REDACTED] (No [REDACTED] Mr. [REDACTED] refuses to do so, I however thought that this might help to show [REDACTED] that even though Mr. [REDACTED] has admitted to being home all day, he still wouldn't help with child care, and if nothing else, it might get me

ground on leaving Mr. [REDACTED] or took any measures to protect myself, he found a way to punish me.

I am not a lawyer, I am not the best writer, but I do know that what the [REDACTED] did was unfair, it was not appropriate for a Protective Order to be called a "thingy", [REDACTED] actions encouraged Mr. [REDACTED] behavior. It was strongly biased to enter all Minute Entries as negative reflections of myself, and failing to mention any of Mr. [REDACTED] actions, because he denied them. I would like for Commissioner [REDACTED] to review the 911 calls made from the [REDACTED] in [REDACTED] from people that were on the parking lot and watched me being beaten and choked, better yet I wish all of [REDACTED] County had viewed the assault from digital video surveillance. I wonder how many other victims will face the same fate in [REDACTED] County. I have sent several members of the [REDACTED] [REDACTED] Violence Council information in regards to my case, and I have contacted the [REDACTED] for [REDACTED] and [REDACTED] issues.

Mr. [REDACTED] traveled to [REDACTED] to take [REDACTED] on [REDACTED] [REDACTED], however legal authorities in [REDACTED] do honor protective orders and take violent histories into consideration, this shows his ability to stalk and find me. It also came out in a counseling session held in [REDACTED] [REDACTED] Schools, that Mr. [REDACTED] had beat our [REDACTED] with a [REDACTED] "with shiny things", when the oldest child was questioned she stated that she didn't tell me because she knew I would report it and she would be in trouble with her [REDACTED] in the next visit. When the matter went into the [REDACTED] Court of [REDACTED] County, no [REDACTED] Mr. [REDACTED] never responded, [REDACTED] times the [REDACTED] Court granted extensions for him to respond, he never did, Mr. [REDACTED] is well aware that I am able to prove his ill actions to not only to myself, but other. However immediately after the [REDACTED] Court decided to not make a ruling, Mr. [REDACTED] went back to the [REDACTED] Court seeking the favor and biased rewards he was able to obtain from [REDACTED] I recently obtained knowledge that Mr. [REDACTED] attorney [REDACTED] [REDACTED] filed a motion early on to have these presidings removed from Judge [REDACTED] into the court of Commissioner [REDACTED]

The actions of [REDACTED] are unethical, they violate the Judiciary Codes of [REDACTED] County, and the outcomes have greatly endangered myself and [REDACTED] that should have been protected. Mr. [REDACTED] hired a private investigator to seek me and kids, but wouldn't respond in a legal forum outside of the [REDACTED] Court. His investigator has contacted a prior landlord and a prior employer, someone continues to run my credit report continuously. The [REDACTED] actions have encouraged his behavior. Had Commissioner [REDACTED] been fair in both sides, I am certain the outcome of this matter would have been different. I am blessed because I got out alive, I am still alive, women who don't advocate for themselves or depend on Judges that think of a protective Order as a "thingy" die. I chose life.