

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-174

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner improperly approved a guardianship in 2007.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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.

The commission does not have jurisdiction to review the legal sufficiency of the commissioner's ruling. In addition, the commission found no evidence of ethical misconduct and concluded the commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 28, 2014

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on August 28, 2014.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

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 _____ heard a Title 14 Guardianship matter,

Case No.: _____ in regard to _____

I had signed a Consent for _____ on _____ with the belief that

the _____ were _____ However, their _____ was denied

due to _____ criminal background in another state. I was not informed

of that fact, or that a guardianship petition had been set or heard.

_____ stated in his ruling that I have accepted service and I

waived my rights to a hearing. This was not the case because my consent was for an

_____ under Title 8 and the guardianship matter was a separate matter under

Title 14. My _____ did not waive my right to be informed of the

Guardianship hearing. I was very active in _____ at the time

that this matter was heard by _____

In _____ I found out that _____ was never _____ and that

rather a Guardianship was entered.

If I would have been given proper notice and my rights had not been

violated, I would have faught for _____ at that hearing; rather

then _____ after the Guardianship was entered due to not being given

the proper notice of the Guardianship hearing.

There is now an active matter in the Court for a Dependency and the initial

Guardianship has been terminated.

I believe the current court matters, the relocation of my family, the

necessity and costs for legal representation, and most importantly the

psychological ramifications to _____ could have been avoided if I

had been provided with my constitutional right to be advised of the hearing.