

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-284

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge, now retired, was prejudiced against him, did not provide him an opportunity to be heard, did not allocate appropriate time for his case, and engaged in inappropriate courtroom demeanor.

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: December 9, 2015

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed  
to the complainant and the judge  
on December 9, 2015.

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

**I understand the commission cannot reverse court orders or assign a new judge to a case.**

**I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.**

Signature:

Date:

### INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

To the commission of Judicial Conduct:

My divorce trial was heard on two separate dates; \_\_\_\_\_ & \_\_\_\_\_ Judge first met me on \_\_\_\_\_ Such time in \_\_\_\_\_ was set for orders to appear on temporary orders. At the same time \_\_\_\_\_ I was being pursued on false claims of \_\_\_\_\_ Criminal charges that were later dismissed after mother was found to be less than creditable due to continued false reporting to the \_\_\_\_\_ County Sheriff's Department & \_\_\_\_\_ Services. She (ex-wife) is now being investigated by the \_\_\_\_\_ County Sheriff Department. Such circumstances immediately produced a bias & prejudice Judge demeanor against me as the judge was unwilling to consider the facts of the false reports the respondent (my ex-wife) had made & what motive was behind such reporting. Judge's behavior was perceived by all names listed above to be the same, they are willing to provide testimony to what they witnessed.

As outlined in Rule 2.3 (Comment section), Judge \_\_\_\_\_ manifested her bias & prejudice on charges that had yet to be tried or sustained. Such action Judge \_\_\_\_\_ demonstrated while hearing testimony through her body language, shaking of her head, & eye rolling when hearing specific testimony when presented by me or my lawyer \_\_\_\_\_ who she addressed multiple times in an unprofessional manner. I do understand the preponderance of the evidence differ from a civil to a Criminal matter (beyond a reasonable doubt), however judge \_\_\_\_\_ through her own expressions & body language was making it clear she was not considering any of my testimony or evidence. Additionally she would work on her computer while in the middle of my testimony, though would provide her undivided attention when the respondent was testifying.

As outlined in Rule 2.5 (Comment 2.) A judge should seek the necessary docket time, court staff, expertise, & resources to discharge all adjudicative & administrative responsibilities. Judge \_\_\_\_\_ did not allow proper time for this case to be properly presented. At the time of the trial on \_\_\_\_\_ judge \_\_\_\_\_ would continuously remind my attorney \_\_\_\_\_ that this would not continue past current trial to hear all matters, making it clear she was not interested in hearing all relevant materials to properly apply

As outlined in Rule 2.5 (comment 4.) During trial on \_\_\_\_\_ when all the exhibits were being presented to judge \_\_\_\_\_ the court staff had miss labeled exhibits causing significant delays when hearing all matters & exhibits. At the conclusion of the hearing, judge \_\_\_\_\_ recognized such time consumption & advised attorneys they should have provided these exhibits to her in binders, though did not set additional time to hear exhibits not given the opportunity to be presented.

As outlined in Rule 2.6 At the time of the trial judge \_\_\_\_\_ would ask me to answer questions she would ask during trial directly to her, though when I would ask a question to further understand what was asked, she would quite me not giving me the right to be heard according to the law being applied. The judge played an important role in overseeing in settlement of my divorce, though continuously through-out proceedings undermined any efforts of my rights to be heard when I attempted to add testimony that would add value to understanding events as they had occurred.

As defined in Rule 2.8 Decorum, Demeanor, & Communication, judge certainly did not display any patience when presiding over this case. Through-out the case the judge clearly displayed visual & vocal anger, discontent with her own staff on the handling of exhibits & paperwork. Her understanding of my own demeanor during the conclusion of trial on \_\_\_\_\_ was that I was staring her down & addressed me in court as such. I was simply trying to understand what she was saying as she was speaking to fast on orders that was not understandable to me. She called this out in-front of everyone in an unprofessional or dignified manner as she her self miss understood my expression.

On a temporary orders hearing on \_\_\_\_\_ judge \_\_\_\_\_ engaged with me & started an unprofessional argument on income from my employer stating "reimbursement" should be listed as income & will not be excluded from gross earnings. Such dealings with judge \_\_\_\_\_ on this subject became hostile to the point where she created an intimidating environment, so I simply allowed her to make what ever order she was going to make. Later it was found in a minute entry she entered shortly after she corrected her-self in chambers & made appropriate adjustments. In later court hearings she did not offer such information or apologize for such demeanor.

I am sure if this Judaical committee where to pull audio, from these proceedings such concerns would be substantiated. If additional phone numbers for such people are needed for there input on the behavior of the judge I can certainly provide such. I respectful request the actions, demeanor of this judge be inquired about & appropriately addressed. Should any additional contact information be needed please feel free to reach out to me at \_\_\_\_\_. Thank you.