

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-029

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner was biased against her, discriminated against her, and failed to maintain decorum in her court.

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 rulings. In addition, the commission found no evidence of ethical misconduct and concluded that 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(a).

Dated: April 4, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie
Executive Director

Copies of this order were distributed to all appropriate persons on April 4, 2018.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2018-029****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.

The hearing from start to finish was one sided and I was discriminated by the Judge on many occasions throughout this time. Her brother was the other petitioner and he was allowed to continuously talk to my Mom throughout the hearing. Also he was coached by her appointed lawyer and he admitted that _____ was his lawyer also.

_____ allowed outbursts, accusations, and derogatory statements said by the other petitioner and his wife stay on the record without any reprimand from the court. I was accused of hitting my Mom, slapping her and abusing her from the age of _____. Not only have I never done any of the accusations these two have never met me and was not in My parents life for over _____. The last straw was when _____ said he would never allow me to visit my mom he got guardianship because I belonged to the _____. That is extremely offensive to me and the judge should have said something to him instead of just sitting dumbfounded. That kind of opinion does not belong in a court of law or anywhere for that matter.

Prior to the hearing _____ physically blocked my sister and I from seeing my Mom. My lawyer brought this up in court and he did not deny that he did it but again the judge did nothing about this behavior. Also _____ made accusations against my deceased Father who could not defend himself and this kind of outburst should have been stopped. Again I go back to the fact that these people had not seen my parents for over _____ and had no clue about my parents.

I received the minutes to the hearing from my lawyer, (see attachment), and there was so many lies and assumptions from the Judge. I had no intentions of leaving the state of AZ from the time I arrive in _____. I went back to stay with my Sister to start the guardianship from _____. When I arrived back in AZ my intentions was to live with my Mom in _____, (please note my parents resided in _____). The house was to be foreclosed and I under oath said it would take some time and we could live there till the time evicted. This would give me the time to pack the house up and find a suitable apartment in the _____ area. The Judge said this was unsuitable arrangements but moving her to _____ away from an area she knew well and was 15 minutes away from where my Dad is buried. Tell me why my arrangement was not acceptable but the other one was. This screams of bias.

The Judge asked me if I would ever place my Mom in a nursing/assisted living facility and I said never even if a Doctor said so. I testified prior to that questioning that I had promised my Father I would never do that. Not only am I honest, I don't think it would be necessary if I was to take care of her. I had the most contact with her in the past 4 years and knew her habits. I was condemned for no good reason except for the Judge taking my answer out of context..

The Judge said one of the reasons I did not get the guardianship was because I was disabled. My disability should have never come into the decision. I am protected under the American Disability Act and the Judge discriminated against me. _____ is also disabled and has many more illnesses than I will ever have. He has _____ which is completely debilitating. How is he ever going to take care of my Mom. His disability was never mentioned in the hearing and that is discrimination against me by the Judge. Plain and simple. And if you don't believe me look up the definition.

For the judge to state that _____ contact with my Mom was because of my Father is a downright lie and no testimony was ever founded. My Mom discussed many times with us that she did not like her family and the only thing they cared about was how much money she had. Out of _____ she was the most successful one. The judge decided to put her opinion that was not substantiated into her decision.

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For the Judge to state that they were unaware of the system was a lie. She never asked me about it and they did know about it. I called to get more information and they told me that was the contact person. Apparently the judge makes up her own information and then decides to write her opinion based on lies and I am getting railroaded by her.

I am beside myself on the lack of knowledge by the Judge or any of the lawyers present at the hearing. My Mom should have been receiving my Fathers Social Security all this time. I had an appointment in but I was removed from the house and I wasn't going to give more money to steal. Why didn't the Judge figure this out on her own but referred to her Social Security benefits as "meager". Shame on all of them.

In conclusion behavior in the hearing was not in the minutes at all. He perjured himself every other sentence that came out of his mouth but the Judge held his opinion to a higher standard then mine. My character was defamed and the Judge allowed derogatory comments to be made without saying a word or putting it in the minutes. Its very obvious by using my disability was discrimination against me as a female and a person.

This Judge needs to be removed from the bench for her biased opinions and discrimination against witnesses. The doesn't need a Judge like this making decisions on any case.