

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-313

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against women who were victims of abuse.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 a judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officer did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Commission member Christopher P. Staring did not participate in the consideration of this matter.

Dated: February 13, 2019

Copies of this order were distributed to all appropriate persons on February 13, 2019.

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

2018-313

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.

I appeared before Judge _____ on _____ I represented myself at the time. I was transparent about my history of PTSD. In the first meeting he stated to me, " _____ " Little was achieved during the _____ hearing due to time constraints.

A _____ hearing was scheduled for _____ At the _____ hearing he allowed the Respondent's attorney to repeatedly ask me questions even though I stated it was outside the marriage and the information is incorrect. Many questions were asked _____ times. He could see I was visibly upset and having a difficult time coping with the questioning. I would ask to clarify and I was told on many occasions I was not to talk. I was not able to fairly represent myself. In a _____ hearing I was able to speak less than _____ minutes. I was denied a chance for a rebuttal to clarify. Judge _____ needs further education on the outcomes and reality of domestic violence and PTSD. In his ruling he states the following "

_____ " He further states, "

_____ " I requested a break to try to gather my emotions. I was told I had to answer the question first and then there would be a _____ minute break. All the while Judge _____ exhibited a look of annoyance on his face. I tried to ask questions to clarify at the end of the hearing and he stood up and said I would need to ask an attorney and he will mail his ruling at a later time.

Many victims of domestic violence and sexual abuse do not report, and often only will report when they feel safe. His statements in court and in his orders have further exacerbated my emotional state and has required considerable counseling therapy. He has further empowered the Respondent to further harass me. A _____ hearing took place on _____ While it is not documented as such, Judge _____ made the statement to me, "

" He further stated "

" I had moved to _____ in _____ I was trying to find a provider to fulfill the order. I notified my attorney and never heard back from him. I completed the evaluation. To which the evaluation addresses the HX of PTSD and abuse of the Respondent.

I sent in a complaint in _____ to which part of the file was lost. I was told this process is not to change the outcome of the hearing and if I wished to reproduce the necessary documentation I could file again. I am not concerned with changing the outcome of the past hearings. I am very concerned about Judge _____ treatment and statements to women who have been abuse. Especially those you have not come forward. Cases of abuse are not tried due to lack of evidence, as was my case. I have not resubmitted this complaint until now for a couple of reasons. The first is the needed counseling to get to

I have submitted a word document with my statement as it would not copy + paste correctly. A page was lost last time. I am willing to provide supportive documentation of the forensic →

evaluation has now completed and submitted to Judge.

I have also provided supportive documentation on Secondary

Injury of interaction with the System

There are many Court records to support my claims, prior
to Meeting Judge

I appeared before Judge [redacted] on [redacted] I represented myself at the time. I was transparent about my history of PTSD. In the first meeting he stated to me, "[redacted] Little was achieved during the [redacted] hearing due to time constraints. A [redacted] hearing was scheduled for [redacted] At the [redacted] hearing he allowed the Respondent's attorney to repeatedly ask me questions even though I stated it was outside the marriage and the information is incorrect. Many questions were asked [redacted] times. He could see I was visibly upset and having a difficult time coping with the questioning. I would ask to clarify and I was told on many occasions I was not to talk. I was not able to fairly represent myself. In a [redacted] hearing I was able to speak less than [redacted] minutes. I was denied a chance for a rebuttal to clarify. Judge [redacted] needs further education on the outcomes and reality of domestic violence and PTSD. In his ruling he states the following"

" He further states, "[redacted]

" I requested a break to try to gather my emotions. I was told I had to answer the question first and then there would be a [redacted] minute break. All the while Judge [redacted] exhibited a look of annoyance on his face. I tried to ask questions to clarify at the end of the hearing and he stood up and said I would need to ask an attorney and he will mail his ruling at a later time.

Many victims of domestic violence and sexual abuse do not report, and often only will report when they feel safe. His statements in court and in his orders have further exacerbated my emotional state and has required considerable counseling therapy. He has further empowered the Respondent to further harass me. A [redacted] hearing took place on [redacted] While it is not documented as such, Judge [redacted] made the statement to me, "[redacted]

" He further stated "[redacted]

" I had moved to [redacted] in [redacted] I was trying to find a provider to fulfill the order. I notified my attorney and never heard back from him. I completed the evaluation. To which the evaluation addresses the HX of PTSD and abuse of the Respondent.

I sent in a complaint in [redacted] to which part of the file was lost. I was told this process is not to change the outcome of the hearing and if I wished to reproduce the necessary documentation I could file again. I am not concerned with changing the outcome of the past hearings. I am very concerned about Judge [redacted] treatment and statements to women who have been abuse. Especially those you have not come forward. Cases of abuse are not tried due to lack of evidence, as was my case. I have not resubmitted this complaint until now for a couple of reasons. The first is the needed counseling to get to this point again. Secondly, out of fear of retaliation.

Of note the Respondent appeared telephonically.

The court where the divorce was filed. Concluded there was evidence of abuse. They were aware of his admission and drop out of treatment for alcohol abuse. They were also aware of his prior DUIs. As was Judge [redacted]. The ruling forced the Respondent to have supervised visitation of the child and he was not to enter my home. He was only allowed to pick up the children. An officer could be called out for safety concerns. I was not allowed to present or discuss this after I was questioned by the Respondent's attorney.

A person undergoing a panic attack will exhibit symptoms of irritability and provide short answers. I was abused by a [redacted] and the case went to court.