

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-120

Complainant: No. 1285200091A

Judge: No. 1285200091B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The commission has no jurisdiction over legal matters involving custody, child support, visitation, or the enforcement of court orders. These questions can only be interpreted by an appellate court. Although one pleading was ruled on outside the statutory time frame, the court history makes clear that the pleading was not properly filed. The judge has since ruled on the motion.

The complaint is dismissed pursuant to Rule 16(a).

Dated: September 19, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on September 19, 2006.

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

To Whom It May Concern:

MAY 03 2006

I, [redacted] have an ongoing case at this time that needs desperately to be reviewed. The judge in case, [redacted] has done several things unbecoming a judge. As I know this letter will probably not help my child or my case, I wish no child or family to ever be subjected to the biases of [redacted]
[redacted]

I was served with papers by Petitioner, [redacted] on [redacted] He is the biological father of my now 14 year old son. My son has never met this man, nor does he want to now. As stated in the report by the Court Commissioner, in his own words the Petitioner knew about the child and did nothing about it because it was easier to dismiss it and the fact that he has a jealous wife. Then when he gets to court before the judge, he lies and says he never knew anything about the child. When I pointed out to the judge that it was in the report from the Court Commissioner that he did know and he had just perjured himself she dismissed it as nothing. I don't know about you, but I was under the impression that perjury was a crime. We had a paternity test at my request on [redacted] because I knew as this went on the Petitioner would try to get out of paying child support, which he did. On [redacted] I put in a motion to have a Change of Venue since my family had moved from [redacted] to [redacted] and it would be easier on my son. That motion to this day has never been addressed by [redacted] [redacted] On [redacted] the court found that this "Dead Beat Dad" should only have to pay arrears of eleven months, after not paying a penny of child support for 12 years at that time. The Petitioner did not pay child support as court ordered on [redacted] The Petitioner stated in open court that he was not paying child support and he was going to "fight it". An Admission by the Petitioner that he was in Contempt of Court, yet was never charged with Contempt.

On [redacted], Judge [redacted] ordered both parties attend Reunification Counseling at a half way point in [redacted] [redacted] is not half way first off. We live on the [redacted] state line. Second it should not be at the convenience of a "Dead Beat Dad", but at the convenience of the child. My son has to miss school and school functions to go to Reunification Counseling. This only builds the animosity the child has for the Petitioner.

On [redacted], Judge [redacted] ordered Petitioner to have telephonic access with the child every Monday at 9:00pm. Petitioner again disobeyed a direct court order by not calling on Monday at 9:00pm. Sometimes Petitioner would call on other unspecified days and times or not at all. When this was brought up in court by me, the judge again dismissed it and did nothing about it.

On [redacted] it was ordered that the child attend at least three counseling sessions before [redacted] I did not comply. My son does not want to go to these counseling sessions and does not want anything to do with the Petitioner.

On [] Judge [] set a hearing date to have me held in Contempt, as she should, I was in Contempt. I believe it was also on this date when [] threatened me with putting my child in Foster Care, making my family move back to [] when my child is thriving in this new community or changing custody to make my son live with a man he has never met. I know after speaking with an attorney, that she has the right to threaten and scare people and abuse her authority in that manner. It does not make it right in my eyes or my child's eyes. I also found out that her threats are hollow and if she tries to actually go through with any of them without Just Cause, which she has none, she would have to answer for it.

On [] after finally meeting the child, Judge [] came back into the courtroom and said even though the child states he wants this to be over, he wants the Petitioner to leave him alone and he does not want to meet him. The judge took it upon herself to say she thinks the child does. The child just told her he doesn't want to meet this man. [] stated it does not matter what the child wants, it is her decision. Whatever happened to the best interest of the child? It has never been an issue in this [] court.

On [] I filed a motion to have the Petitioner held in Contempt of Court for non-payment of child support, as it was obvious the judge was not going to do anything about it. As of today, I have not heard anything about it. Yet the Petitioner filed a motion on the same day to request the child's social security number, and surprise, surprise the judge has already handled that and sent out orders for me to comply.

On [] Petitioner admitted in open court that he has taken it upon himself to stop attending Reunification Counseling in [] and decided to go to a counselor closer to his home that accepted his insurance. Again the judge did nothing. That again was defying the orders the judge had put in place. Do you think he was held in Contempt or even reprimanded? No he was not.

Even court employees that have nothing to do with this case or me, have stated that I am being treated unfairly. If they can see it I'm sure you will be able to as well. Along with all the above, the judge is rude to me and almost flirtatious with the Petitioner. The judge has allowed the Petitioner to perjure himself time and time again. She has allowed the Petitioner to get away with everything in her court and it makes me sick. Why is she punishing the mother that was there for this child, who sacrificed and cared for this child? All I am asking is that you review the tapes from the hearings. You will see for yourself the kind of injustice [] is providing to people in her court.