

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-278

Complainant: No. 1297010550A

Judge: No. 1297010550B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of gender bias or any ethical misconduct on the part of the judge.

The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: January 26, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on January 26, 2007.

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

To: Supreme Court of Arizona Certification and Licensing Division
1501 West Washington Suite #104 Phoenix AZ 85007

Case # [redacted]

Good Morning, My name is [redacted] and I want to file a complaint against Judge [redacted] who was the judge for the most part of the above case. My allegations are discrimination because of my gender and the fact that my children are all girls. I feel because I'm a man Judge [redacted] never established child support that was owed to me going back to when this case first started. This is a divorce with children case.

The first time I was in front of Judge [redacted] was on [redacted] [redacted] In this case I am the respondent. The petitioner [redacted] and I made an agreement of joint custody. The parenting time schedule according to minute entry dated [redacted] was the petitioner had our children from Monday-Friday 8:00am to 5:00 pm and every other weekend and I would have them at all other times. Judge [redacted] according to this minute entry on page 2 referred the case to Expedited services for the first calculation of child support. The petitioner [redacted] went part time one week before the conference and then went back full time one week after they calculated this child support.

I'm including a copy of the child support worksheet completed by Expedited Services. It's dated [redacted] I was paying for medical, dental, and vision insurance for all [redacted] of my daughters. I was also paying for day Care expense at [redacted] a month. On this worksheet they didn't give me credit for all the cost of insurance. I was paying over [redacted] a month but they only put or gave me credit for [redacted] of cost of insurance. Also they put the petitioner as the primary parent. All my kids were in school and pre school so with the parenting time schedule [redacted] in reality only saw our children from Monday-Friday 2:00pm- 5:00pm and every other weekend. So I don't know how she can be the primary custodian. Also I submitted notarized documents to the court from our Day Care that [redacted] most of the time would not pick up our children at all. On this worksheet they didn't give me credit for the [redacted] a month I was paying in Day Care. And if you look at the petitioners income on the pay stub used to calculate the child support she's made more money then I have to that current date. The representative from expedited services was a woman who I noticed favored

[redacted] and not me. I am including a copy of the report also. On Page 2 you will see that according to my pay stub I had made [redacted] of total gross. On the other hand they don't put the gross of [redacted] for that current time but as you will see on her pay stub I am including she has made [redacted] That's [redacted] more than I have made. With the parenting time schedule and all general expenses being paid by me I am the primary parent.

As soon as I got a copy of the report and the fact that Judge [redacted] [redacted] adopted this order for child support I filled out an objection to this order. Our next court hearing was [redacted] The court recalculated child support. I am including a copy of the calculations made personally by Judge [redacted] On this child support worksheet I was given credit for the [redacted] day care expense which is what I was paying at that time. I wasn't given credit for all the insurance I was paying for my kids. She only calculated [redacted] in insurance cost. According to this worksheet [redacted] is only making [redacted] an hour. I strongly advised Judge [redacted] [redacted] was lying about how much she made since we were not providing current pay stubs but Judge [redacted] said she would take our word for it since we were under oath on how much we made. According to the pay stub and the report from expedited services for the previous calculation of child support that I included [redacted] was making [redacted] part time. She went back full time so that means they will pay her more. We had the same employer [redacted] so I know they pay more if your full time versus being part time. So the petitioner got away of perjury lying about her income to get out of paying me child support. With all this on this child support worksheet even though [redacted] didn't give her correct income judge [redacted] calculated in my favor child support of [redacted] even though it should be a lot more. But Judge [redacted] according to the minute entry that I am including dated [redacted] on page 2 decided not to enforce the child support. [redacted] always breaks down crying during court and Judge [redacted] has always given her sympathy. So instead of me getting the child support that is obligated to me Judge [redacted] instead orders for me to be responsible for all day care cost. Keep in mind I'm also paying for all insurance also.

During the long trial I provided documents that I have always been the primary parent. On [redacted] do to me having [redacted] D.U.I.'s and having tested positive on a hair follicle test for cocaine Judge [redacted] decided to

make the petitioner the primary parent and change the parenting time schedule. I can't dispute this since I am the one who tested positive on a hair follicle test for cocaine which by the way from what I learned in family drug court a hair follicle test can go back a year on when drugs were used. I also had a recent D.U.I. On [redacted] this was my second and last one. So Judge [redacted] ordered for me to participate in Family Drug Court. On this minute entry dated [redacted] on pages 3 and 4 Judge [redacted] does state I have always provided primary care and have a very good relationship with my daughters were the petitioner has had difficulty. This is do to my daughters being interviewed and letting the court know how they felt. On page 7 of this minute entry Judge [redacted] refers us again to expedited services for 2 calculations of child support one going forward and one for the past child support the petitioner owes me. Even though it doesn't say it Judge [redacted] did say verbally this should be in my favor in regards to past child support.

Do to me having to participate in family drug court I was unemployed and did not have an income so I did not attend the conference. I had a job interview and at that time needed employment so I decided to go to my job interview. The next time we were in front of Judge [redacted] was [redacted] [redacted] She again calculated child support. I was unemployed so she decided to use the figures of the income I was making at [redacted] And again [redacted] lies about her income and according to [redacted] and Judge [redacted] [redacted] monthly income is [redacted] I am including a copy of this child support worksheet dated [redacted] Because I was unemployed Judge [redacted] didn't ask [redacted] to bring a current pay stub. [redacted] was still employed with [redacted] and according to the previous 2 child support worksheets I have included [redacted] income according to her keeps getting lower and lower as Judge [redacted] calculates child support. I'm including a copy of the minute entry dated [redacted] On page 3 the court finds we are both in disagreement about the child support figures. I have always strongly advised Judge [redacted] [redacted] is a liar but my voice has never been heard with Judge [redacted] On this child support worksheet I am given credit for the day care and medical insurance I was paying at that time for my children. So with that Judge [redacted] calculated I owe [redacted] effective immediately.

I apologize I am not trying to write a novel but feel it very important I include everything to prove my case of discrimination. The next time we

had a court hearing was [redacted] The parenting time changed to a 1 week for her 1 week for me schedule. Judge [redacted] scheduled another court hearing for [redacted] to calculate the right child support.

On [redacted] Judge [redacted] calculated child support in my favor of [redacted] going forward. [redacted] and I were both part time. But she never calculated the back child support that was owed to me. Also, [redacted] took it upon herself to claim all [redacted] of my children for her tax return for [redacted] I brought this up several times and felt all the minute entries and all the testimony by both parties showed I was the primary parent for [redacted] Judge [redacted] decided not to do anything about it and now I am having a dispute with the I.R.S. because my taxes were rejected for that year.

On [redacted] I lost all my rights to my kids. I had to serve a jail sentence of [redacted] months for my DUI on [redacted]. Judge [redacted] ordered child support of [redacted] going forward in [redacted] favor. I believe [redacted] again lied about her income because no current pay stub as usual was not provided. Since I got out of jail it's been very hard for me to get a job and now the case has been transferred to another judge who has no background to this case. [redacted] is now being represented by an attorney and they want to hold me in contempt for lack of child support.

In conclusion, all the documents I have provided judge [redacted] during this long ongoing custody and divorce. [redacted] owes me a lot more child support than I owe her. It just was never court ordered I believe because of discrimination of my gender. Judge [redacted] never liked me and my voice was really never heard. Everything I had to prove by receipts and testimony of my children. I have a huge complaint with Judge [redacted] In court [redacted] admitted in [redacted] she only saw our kids every other weekend because she worked full time and went to school full time. So with that schedule and according to our w2's [redacted] made more money in [redacted] than I did. I'm owed a lot of money that was not established in child support.

What I wish to happen. An official complaint against [redacted] [redacted] should be charged with perjury. I want to have a calculation of child support with the correct income of [redacted] in my favor. I know if that's done [redacted] will owe me a lot of past child support. If there is a way of making this case a miss trial I would like that to happen. Please

contact me A.S.A.P. My next court hearing is [redacted] Also I would like to bring up [redacted] got government assistance D.E.S. when she wasn't supposed to. I brought this up to judge [redacted] but as usual she did not want to hear me. I hope I can get the back child support that is owed to me. Thank you for your time.

[redacted]