

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-221

Complainant: No. 1316910341A

Judge: No. 1316910341B

ORDER

The commission reviewed the complaint filed in this matter and found that the issues raised involve an administrative law judge with the Corporation Commission. The commission has no jurisdiction over Administrative Law judges. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: October 1, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on October 1, 2007.

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

August 13, 2007

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AUG 20 2007

CJC-07-221

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
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Telephone: (602) 452-3200

Name of judge and Name of court:
RACHEL F. STRACHAN
City of Gilbert
City of Mesa
City of Avondale
City of Glendale
Akin Chin Indian Community
Tohono O'odham Tribal Community

To Whom It May Concern:

It is with much regret that I have reached this decision to file a complaint with your office but I truly feel my legal rights are being violated and my opportunity for a fair outcome to trial or settlement is being highly jeopardize do to malicious acts and ill-intent behavior of a member of the judicial community. This Judge's actions violate codes of conduct, ethics, and proper practices. She demonstrated a great level of un-professionalism and paves the way for disrepute of the office of judges.

What type of interaction did I have with this judge?

Please know this complaint is documented with Court Transcripts and Court Documents. This Judge utilized her legal knowledge and authority to manipulate the judicial system to obtain an Order of Protection under false pretense and with malicious intent to discredit me in preparation for a custody hearing. The Order of Protection, which was requested 4 hours before our ADR meeting and served 5 days after the ADR meeting suggested Ms. Strachan acted to "arm" herself in the event she did not attain results suitable to her during the ADR meeting and in the days to follow. Judge Strachan was found to be less than candid in her claims as the Order was immediately quashed/dismissed via a court hearing within 4 days of its issuance.

Additionally as I appeared for hearing on the Order of Protection, Judge Strachan concurrently had her attorney Mrs. Click believing I had violated the enforced Order of Protection and they inappropriately served me with a Contempt of Court for Violating the Order of Protection. This action was surprisingly disturbing, as I had zero contact with Judge Strachan during the 4 days period of preparing for my trial. Their zeal in predicting the court would uphold the less than candid Order of Protection demonstrate very poor judgment, abuse of power and resources.

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It was very troubling and embarrassing to see that a judicial official and officers of the court would act out of accord of anger and spite and would blatantly violate another person's right to due process and a fair trial. Both Court Orders was requested and granted despite there never being any reference to or indication of verbal, physical or implied acts of threats, attacks, violent acts or behaviors or violations being made toward Ms. Strachan. These orders were quashed/dismissed on the basis that the claims made by Ms. Strachan were clearly untrue, unfounded, unsupported and I as defendant did not present any dangers or threats toward Ms. Strachan.

As it stands Judge Strachan appears to still be un-accepting and sullied over the court's decision. She appears to continue being vindictive towards our process of divorce and on a rampage by he continual threats to file Orders of Protection against me and her quick irrational acts of calling the police to file yet another series of inaccurate claims of me attacking, harassing, threatening and stalking her. My fear is that Judge Strachan is again operating on malice and ill-intent and is utilizing her authority and the plight of true victims of attacks and abuse to get these branches of the legal system to act inappropriately to detain me and influence her leverage to gain the outcome she deems favorable to her in her divorce hearing.

Do I have any other comments regarding this judge?

I feel Judge Strachan values, integrity, moral fiber and judgment is deteriorating. Her poor decision to utilize powerful court actions as a strategic tool to position her for a favorable outcome during her divorce preparation is a pathetic display of indiscretion. It was appalling to see that Ms. Strachan had very little concern about presenting the court with such grave falsities.

I truly feel Judge Strachan should be disallowed to act in such authoritative role as she has demonstrated strong lack of discernment and strong lack of respect for proper judicial process by creating an untrue situation as documented by a less than accurate Order of Protection Petition in an effort for personal gain while attempting to skew the outcome of her divorce.

This claim I am putting before you today can and will be supported by hearing transcripts of the trial and court documents if necessary. I apologize for having to take such major measures but the attacks are becoming very, very unbearable and threatening. I realize my options for a fair and just trial is rapidly shrinking and that there is not much recourse for me at time. I ask of you to investigate this Judge and the matter at hand to control or contain such antagonistic behavior from creeping into her future decisions when operating as a judge. I thank you for your time and investigation into this matter. I hope you can see Judge Strachan ability to properly respect and administer the law in the best interest of justice for all is plummeting more in to a role of personal vindication. As one of the most powerful and influential roles in the State of Arizona I am certain Judge Strachan should not continue to be entrusted to operate in a judicial capacity.

Sincerely Yours,

Onesimus A. Strachan