

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 07-249

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Complainant: No. 1319400141A

Judge: No. 1319400141B

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**ORDER**

After reviewing the complaint filed in this matter and interviewing two witnesses, the commission found no evidence of misconduct on the part of the judge. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: February 4, 2008.

FOR THE COMMISSION

g\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on February 4, 2008.

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

Bill 1005

SEP 17 2007

[Redacted]

September 14, 2007

[Redacted]

[Redacted] I am writing this letter to inform you of my experience on [Redacted] 2007 at the [Redacted] courtroom.

After numerous incidents of unacceptable behavior involving my children, their father and his wife, I found it necessary to file an Order of Protection. I did not feel my children nor I were safe. Since he is a resident of [Redacted], I filed my request for an Order of Protection with [Redacted] court. I entered the tiny waiting area, waited several minutes and was finally attended by one of the clerks. I informed her of my intentions and was given the necessary documents.

I then filled out the paperwork, and when I completed them, I waited, and waited and waited even more. During that time, I heard personal conversations held between co-workers, regardless of the tiny cubicle filled with people waiting to be assisted.. After 10 more minutes and no assistance from the clerks I decided to leave to obtain additional information I needed and return later that morning. I returned an hour and 45 minutes later and was asked to return at 3:30 p.m. so I would not have to wait very long to see the Judge. Needless to say this delay in trying to get an Order of Protection concerned me.

I arrived at 3:25 p.m., handed the clerk the additional paperwork I had completed and was asked to enter the Courtroom. As I waited for the Judge to call me, another young lady who is pregnant was stating her case before the Judge. She was having problems with her neighbor and was requesting a restraining order against her. After she explained her situation, the Judge proceeded to inquire about her pregnancy. Judge [Redacted] asked "You are due to deliver in the next two weeks? Then he asked the young lady "When was the last time you saw the father of your children, nine months?" and then chuckled. I felt embarrassed for the young lady. This behavior was uncalled for and inappropriate. It had nothing to do with the case before him. She then informed the Judge that the child she was expecting did not have the same father as the children she already had. Again, as to why this information was relevant to the young lady's case is beyond me.

When it was my turn to approach the bench I explain to the Judge why I was appearing before him. He read my information and told me he could not grant me the Order of Protection or Injunction. I informed him I was concerned for the well being of my children. He directed me to go to the Court where I had filed my documents for divorce and that there was nothing he could do for me. He also instructed I pay \$50 to see a lawyer and explain to them my situation. I replied I did not have the money to contact a lawyer.

He then told me, call me tomorrow, and I will see if there is loophole that can help you. I stated I was concerned about the father of my children exercising the right to see his children because he paid child support. The Judge told me that paying child support and him wanting to see his children were not related. I told him fine, said thank you and left the courtroom.

Being concerned for the safety of my children and myself, I returned a few minutes later and I asked the clerk if the Judge would at least grant the injunction against the wife of my ex-husband since she is not included in the divorce. The clerk returned with the Judge, and he yelled at me "Get back in here!" He raised his voice at me and started saying "You are not listening to me, I already told you I can not do anything for you! Pay \$50 and talk to a lawyer and state your case with him!" I then told him you are not listening to me, my children are being mentally abused by their father and his wife and I would like something in writing. He proceed to yell saying that him paying child support and having the right to see his children were exclusive and that I was not listening to him. As he did this he pointed his finger at me which at that moment I felt intimidated by him and with the feeling that I had been the one who had committed a crime. He then again told me "I already told you call me tomorrow, and I see will if there is a loophole to help you with this. Again I said fine and left.

When I left the courtroom, I was shaken and crying. I thought the law was here to protect and not to demean or intimidate a person seeking relief from abusive behavior. I also would like to know why the interpreter remained in the courtroom as I did not request her services. Is that normal practice? To allow employees to hear matters that they are not required to? I am very upset as to how I was treated by Judge [redacted] I feel his behavior was unprofessional, rude and offensive. Obviously, Judge [redacted] behavior extended beyond me to others appearing before him as evidenced by the treatment he gave to the young pregnant woman.

I appreciate you taking the time to read my letter, if I can provide additional information you may reach me at [redacted]

Sincerely,

[redacted]

CC: Arizona Commission of Judicial Conductor  
1501 West Washington Street, suite 229  
Phoenix, Arizona 85007

[redacted]