

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-189

Complainant: No. 1339810710A

Judge: No. 1339810710B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The commission is not a court and cannot review evidence to determine whether or not a judge's decision is correct. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 4, 2008.

FOR THE COMMISSION

 \s\ Keith Stott
Executive Director

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

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

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COMPLAINT AGAINST A JUDGE

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

I feel there is also a error when she col-lected his other order support, I have included a copy of his check stub that was used in the court that was submitted.

The work sheet ordered show he pay \$ 775.00 of other child support, but that is not correct based on his pay stub after my new child-support is changed.

He doesn't pay that much child support.

I would like you to re-calculate the child support work-sheet also in your investigation. I have enclosed every thing needed.

Any questions please contact me

by mail.

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I had a hearing set on _____ filed by the father regarding a petition to modify child custody, parenting time and child support. I also enclosed a copy of the minutes at the hearing.

I'm making such complaints concerning the outcome in which I feel some of the things wasn't properly handle according to law and she favored the father with making most of the decisions. A major complaint was that she didn't even discussed this action in court and she made a decision without my knowledge and I didn't find out until I received the minutes in the mail.

I don't understand how she could make a decision without bringing it to my attention in court.. I have listed my complaints below as followed.

1. Parenting time for the school year, the father is only able to get the kids on Saturday morning at 10:00am and return them on Sunday at 4:30 pm.

The judge is counting the days as 2 days. I feel she should count them as a 1 ½ not 2 days,, I wasn't satisfied with that choice.

2. For the summer months the father can only get them starting Saturday at 10:00am to Monday until 11:00 a.m..

The judge is counting these days as 3 day it's only 1 hour over. I feel it should only be counted as 2 days. I will change the pick-up time to 10:am,, because 3 days is not fair just because it's one hour over.

3. My main complaint is the father is behind in arrears and I bought the proper paper work from the court to prove my accusations, the judge ordered him to pay \$55.00 additional child support a month. He has been in arrears ever since our divorce because he didn't pay any child support for the first two years, so now it has added up over \$12,000 of past due child support.

I have been carrying our sons since our divorce on my income taxes because he was behind in his child payments and it also states that in the decree if he is behind he don't have the right to carry them on taxes.

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My complaint is on this matter is the judge didn't discuss in court that she was making any type of changes concerning this matter and when I received the minutes in the mail, she had made a decision without discussing it in court.

In the minutes she changed without my knowledge or even in court that the father will carry the 12 yr old son and I will carry the 9 yr old son on our taxes and after the oldest reaches 18 we shall alternate between the other one. I was very upset and I called a couple of attorney's over the phone and they took the time and answered my questions regarding this matter. They both informed me that she didn't have the right to do that without my knowledge and making the decision on her own.

I also ask many other friends and associated and they all said they never heard of such as thing. Also it states in my decree if he's behind in child support payments he can't carry the children.

What I'am asking for is the visiting days to be re-calculated on a fair decision and also that I'am the only one to carry the kids on my taxes if the father has back payments and is paying arrears.

I feel the judge has done improper mis-conduct with making choices and not informing me of these decisions in court, she made these choices on her own.

I would like to also remove her from my case because I don't feel I will get proper treatment in the future if we go to court again again.

Please take proper consideration and handle this matter accordingly

Sincerely