

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-296

Complainant: No. 1349510063A

Judge: No. 1349510063B

ORDER

The commission reviewed the complaint filed in this matter and determined that the judge did not knowingly violate the ethical canons. Accordingly, the commission voted to issue a private comment to the judge and to dismiss the case.

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

Dated: March 12, 2009.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on March 12, 2009.

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

October 27, 2008

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Your Honor:

I am writing to you

about what I consider some biased unprofessional behavior of the Court.

First, despite two clerks processing my request for an Order of Protection and Judge signing it, it was not until my ex husband and his lawyer appeared for the evidentiary hearing that the Judge decided that it was not within her jurisdiction. Why did it take four people processing it over a period of two weeks to discover this? What a consummate waste of time!

Second, the court's notice of the hearing arrived to me a day before the hearing which is very short notice especially for a pro se litigant. His lawyer's notice did not come until two days after the hearing.

Third, the interaction of the Court and on page one of the transcript seemed highly flirtatious, coquettish and highly prejudicial to the opposition. Their bantering about "how long it had been since each had seen the other" made it feel like quite the opposite, that they, indeed, had been in each other's company and the reason for that was left to the hearer's imagination.

The combined questioning of the Court and completely undermined the integrity of my security cameras, installed @500, alerting my ex-husband to the cameras, their operation, leaving my house unsecured for further entry by my ex-husband or his designee. To whom do I send the bill for this, to the Court or ? Did the Court further facilitate his continuing entry of my house since the hearing by doing this?

The Court dismissed the Order of Protection and sent an order to the Constable to "enforce the 500' permanent restraining order in the Decree". A kind clerk who notified the Sheriff's department which declined to enforce it, called me to suggest that I go to Court for an Order of Protection instead. She, at least, was concerned about my welfare for which I am grateful.

After my explaining how my husband is not the garden variety of abuser, meaning that his death threats are preceded by verbal, emotional and psychological abuse and stalking rather than primitive physicality, that I am terrified of him after learning that a former law professor suggested that my ex's house be searched for fire accelerants when he filed a petition for Injunction against Harassment against my ex, that he is very bright and a member of , who can be charming, charismatic and completely without moral compass, clever enough to evade the law or con them into thinking he is innocent, the Court made a snide, insensitive, condescending, sarcastic remark on page 79 of the transcript that reads, "...I wonder if a poltergeist isn't there doing stuff, you know, you---all these awful little things that are happening..."

recommended me to your DV clinic because they had such high regard for what you have accomplished. I was very disappointed with the outcome of that hearing and the unprofessional behavior with which I was treated by this Judge. I felt demeaned, putdown, publicly humiliated, further exposed to more abuse from my ex-husband, exactly the opposite of what I wanted to achieve. No wonder women hesitate to go to court against abusers!

I hope this feedback will be helpful to you in understanding the service delivery of the Court, especially your Domestic Violence initiative. I would appreciate your following up on this as an official complaint as I do not know the procedure to that.

Thank you for your time and concern for victims of Domestic Violence.