

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 09-054

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Complainant: No. 1356510677A

Judge: No. 1356510677B

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**ORDER**

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

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

Dated: June 9, 2009.

FOR THE COMMISSION

   /s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on June 9, 2009.

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

CJC 09-054

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 3/1/09

**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.

The first hearing was set for January 7, 2008 and I did have a lawyer. The judge seemed to bypass the lawyer like she did not exist. On this day the judge requested CPS reports do to the Plaintiff, Mr. [redacted] stating the he called CPS on me. When the judge asked him if had been in my home Mr. [redacted] said no, however the judge did nothing. The CPS reports have still not been received that I am aware of. At this hearing she also appointed a guardian ad litem, in addition she ordered us to conciliation court. the case was set for review and again set for review. On June 3, 2008 again we were referred to conciliation court. I tried to tell them I could not afford it and was told to go. On August 14, 2008 I requested an emergency custody order due to my child being sent home with MSA and that I believed my child to be in danger by drinking and driving and the judge asked how I thought my child's life was in danger by drinking and driving on the August 14, 2008 hearing another hearing was set for September 8, 2008. Being unable to get

(Attach additional sheets as needed)

Please see attached

The petitioner served, the hearing was pushed to October 20, 2008. County lost the paper work however Petitioner was served in Open court, the hearing was then pushed to November 18, 2008 where the judge only changed times of visitation pick-up and drop-off. The guardian ad litem was given a chance to make a statement and when the judge asked if I or the petitioner had anything to say, I said yes, so the judge allowed me to make a statement, so I asked how the guardian ad litem was able to make an adequate assessment of the case when she had not seen the child in almost a year and that I knew of she had not seen the child interact with the father. The guardian ad litem was given a chance to respond and she stated that she felt she only had to do that if one of the parents quite or

moved. The judge did nothing nor questioned her as to why she felt this way. Mr. (the petitioner) stated that every time we exchanged the child I yelled at him or screamed at him, when I stated that my husband did the exchange and I sat in the vehicle, the judge stated she believed him since she seen how I acted in court. She seems to be partial either to one side or the other depending on her mood. I believe this true since at the last hearing on November 18, 2008 the judge stated that if the petitioner and I did not start getting along then she would hold this case until my child was eighteen years old. It seems to me as if she is trying to use her judicial powers to intimidate either side to cave. I also believe that when she stated that this was a hard case since neither one of us had a lawyer and all we did is continue to file papers that she does not want to deal with the case in the first

Place. In addition I have tried since January 7, 2008 to show her a transcript from a hearing held with Judge and she seems to not want to hear what it had to say. I feel that this judge has over stepped her bounds and has caused both sides mental stress on stating that we need to get along or she will hold this case until the child is eighteen. I do have transcripts supposed to be coming within the next two weeks to show that Judge in Division eight has said these things, however on the recommendation of one of the office staff at your office, I am sending in the complaint to get the ball rolling. I am not requesting anything other than the proper reprimand for the judges inappropriate behavior that I believe has occurred.