

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-245

Complainant: No. 1373010272A

Judge: No. 1373010272B

ORDER

The complainant alleged the judge failed to enforce an agreement and allowed a guardian ad litem and the state to participate in a social study that did not meet state requirements. The commission reviewed the complaint 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: March 16, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on March 16, 2010.

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

Date: September 10, 2009

RE: Judge

To whom it may concern

Judge _____ has set on my dependency case with the state of AZ Department of Child Protective Services for over a year and half. Not once did I hear her state any redirects for cps or _____ the GAL I that was appointed to the minor children in the dependency case. The state of AZ Department of Child Protective Services had filed for dependency back in January of 2008. A pretrial and trail date were set. At the pretrial all Parties involved agreed to the dependency base on denial of the allegations but based on the need of services to reunite the children back home with the mother or father. Child Protective Services had provided the mother and stepfather with parenting classes and other services but was not providing my self the father of the oldest child with no services except supervised visits with amrisycics in Winslow AZ. I as the father had asked the judge if I may speak to the court wile I was attending a hearing for this matter the judge had stated yes you may. So I made a statement to the court that I was not receiving any services from Child Protective Services except supervised visits with amrisycics in Winslow AZ. The judge stated I am aware of this Mr. _____ I do read the reports that are sent into the court. Again the judge did nothing to enforce the agreement that was made at the time set for trail for the dependency. On octber 21 2008 a hearing was held, at this hearing _____ had entered a verbal motion to suspend visitation with myself and my son, a hearing was set for November 27 2008 at 10:00 am. On November 27 2008 the judge had heard all the parties that were in the courtroom, after the judge was done the judge had ordered the therapist _____ to send in a letter of recommendation to the court whether she thinks it is detrimental or traumatizing to the child to see his father my self, which was done. The judge did not make a decision on the visitation matter. _____ the GAL for the boys and the state was supposed to get a Social Study that has been done on both parents and the parent child relationship which is required by law to be done. Judge _____ had allowed the the GAL and the state to enter a social study that did not meet the state law requirements for when the parents fundamental rights are at risk of being terminated in the court of law. I am requesting a full review to be done into this matter and for it to be addresss in the appropriate matter as required by law. If necessary I may be reached at _____ between the hours of 8:00 am to 5:00 pm Monday through Friday. Thank you for you time and considerations in this matter.

Father to Oldest Child