

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-282

Complainant: No. 1367210238A

Judge: No. 1367210238B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The complainant, who is in prison, alleged that the judge failed to include him in hearings involving a dependency case and engaged in ex parte communications. Arizona law specifically provides that dependency hearings may be held with one parent only, and court rules permit a judge to consider ex parte communications when authorized by law to do so. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: February 5, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on February 5, 2010.

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

STATEMENT OF FACTS

Your Name:

Judges' Name:

Date: 10-09-2009

JUDGE

has violated the Complainant's Constitution Rights, Rights to Due Process and has demonstrated Conduct prejudicial to the administration of Justice that brings the Judicial Office into disrepute, or in violation of the Code of Judicial Conduct.

That is now pending in the Superior Court of Arizona (Maricopa County), Juvenile Division, Judge [Name] has engaged in Ex-Parte Communication and has denied the Complainant his right to be present during several hearings and or proceedings. The complainant is endorsed as PRO SE and is representing himself. AND does have a right to be in attendance at any and all hearings, in Case No. JD- [Number] on several hearings concerning the Mother, the Father, [Name] whom is endorsed as PRO SE and whom had a right to be in attendance was excluded and thereby Ex-Parte Communication is established. A violation of Rights to due Process which in fact is prejudicial to the Parents and the children in Case JD- [Number].