

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-339

Complainant:	No. 1380310095A
Judge:	No. 1380310095B

ORDER

The complainant alleged a commissioner demonstrated bias by making a remark about a CPS policy. The commission considered the complaint and after reviewing the recording of the hearing decided to dismiss the matter with a private comment to the commissioner reminding her of her obligation to comply with Rule 2.8(B) of the Code of Judicial Conduct, which requires a judge to be patient, dignified, and courteous. The complaint is dismissed pursuant to commission Rule 16(b).

Dated: April 27, 2010

FOR THE COMMISSION

\s\ William Brammer

J. William Brammer, Jr.
Commission Chair

Copies of this order were mailed to the complainant and the judge on April 27, 2010.

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

To Whom It May Concern:

I will attempt to list each of the things that others and I witnessed in Judge Courtroom on October 22, 2009.

1. Bio mom had not dropped her urine for drug testing for almost three months. When questioned she said she did drop her urine. The Judge than stated that "PSI (the company that does the testing for CPS) couldn't be trusted, that their testing was not always accurate and complete.

2. When the caseworker for the baby stated that PSI had NO urine results for this woman, Judge waved her hand at the caseworker AND the AG and said, "CPS policy is stupid and I don't have to follow their rules. The caseworker was stating that without drug screening this raises a BIG red flag for them regarding the welfare of this baby.

The Judge than turned to the bio mom and said something to the affect that she looked good and did not look like she was using. Therefore, let us forget about the past and look to the future.

3. The CPS worker than asked if they could have a hair sample. The Judge looked at the bio mom and asked her if that would be okay with her.

4. Judge never asked the foster mom to speak on the child's behalf.

5. The Judge ordered the child stay in foster care until January 12, 2010. Then, she leaned down to the bio mom and said something to the affect of, don't let me down this time, okay?

6. The Judge had previously ordered the bio mom to get her GED. The bio mom still has not complied with this request after fifteen months in and out of court.

What I am trying to show the Commission on Judicial conduct is that Judge although an excellent Judge, in this particular case has developed over time an unhealthy bond to the bio mom due perhaps to her long history with this woman as bio mom herself grew up in foster care. Judge was also the Judge for the bio mothers other case with CPS involving her first son who was removed and who she finally relinquished her rights as parent to.

It seems to be that Judge is biased towards this mother and has completely forgotten that the Job of CPS and the court is to determine the safest environment for this child, in a respectable period. should have been placed into a foster to adopt home by twelve months. Keeping in a home that is not going to be his final family

is cruel because at this age he is forming strong bonds and relationships with the family.
Judge is not representing welfare in this case.

The removal of from his bio mom at four days old, was due to severe neglect and the mom and dads drug problems. The bio moms' case plan revolves AROUND the drops that Judge has waived away.

The Judges bias renders CPS helpless to find a good home for

Thanking you in advance for looking into this issue on behalf of a sixteen-month-old baby boy, who has NO VOICE...but mine.