

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-248

Complainant: No. 1401710659A

Judge: No. 1401710659B

ORDER

The complainant alleged that a superior court judge made unfair rulings and intentionally manipulated the trial in a severance case to cause her financial hardship. After reviewing all of the allegations along with the additional materials filed by the complainant, the commission found no evidence of ethical misconduct on the part of the judge. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: November 19, 2010

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 19, 2010.

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

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2010-248

COMPLAINT AGAINST A JUDGE

Your name: _____

Judge's name: _____

Date: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files. *Attached page.*

Honorable Judge refuse to allow telephone
participation after it was requested. (for Biological mother)

Judge Did not enforce ^{any} order's from
Guardian Ad Litem Court order's requesting any or all information
Date

Judge Did not obtain financial affidavit
from both parents; Date (Request was made in Severance
Trial)

① Judge allowed Severance Trial without offering
trial to Biological Mother; Instead he has combined combined
Severance Trial and Biological's Mother Evidence ^{NO out of state} evidence is allowed

② He had push for Severance and allowed filing of Motion
back in Knowing mother
had major surgery & requested continuance)
Severance trial schedule was purposely manipulated to
financial hardship and interfere with Biological's mother's
employment and education. Severance trial dates are
as follows: pre trial conference Severance
Severance trial dates:
pre trial - Severance trial

Judge Refuses to allow all of Mother's
evidence witnesses

Entered evidence that ^{was} not included in Disclosure
exhibits. (Severance) (Attach additional sheets as needed)

Judge's
Allowed probational eval was rated by state to edit report on
record to further damage Biological mother

* Reascis on non-compliance of performance standards, violation - civil & public corruption; Neglect & endangerment of minor child & inter state harassment

Case No:

I am the biological Mother of the said minor

Minor child involved was intro- state compact illegally probation orders ended

(child was missing and exploited abandoned by

and monitored by

involvement as of placement expired child place on Minor child was left in the state without provisions for permanency placement/ homeless

Minor child interstate compacted from the state of Department

on probation order from Transferred to

Juvenile Justice

Regarding case

I have read and understand the State of Arizona's performance standard.

1.) I have found through my daughters severance Trial which was concluded on and the state had rested it case regarding case

The Honorable Judge

has failed to comply with the following:

Administer justice fairly, ethically, uniformly, promptly and efficiently; and in doing so has neglected the said minor child causing psychological harm.

2.) Intentionally and knowingly place a minor child in an unlicensed home causing sexually exploitation of the child.

3.) The Honorable is bias

Regarding the Arizona legislature amended A.R.S.8-533(a) (b):

(a) to include out of home placement as ground for termination of a parent-child relationship A.R.S. 8-533(b) states: The child has been in an out-of-home placement for a cumulative total period of or linger pursuant to court order to voluntary placement pursuant to section 8-806 and the parent has substantially neglected or willfully refused to remedy the circumstances which cause the child to be in an out of home placement.

(b) The child has been in an out of home placement for a cumulative total period of or linger pursuant to court order or voluntary placement pursuant to section 8-806, the parent has been unable to remedy the circumstances which cause the child to be in an out of home placement and there is a substantial likelihood that the parent will not be capable to exercising proper and effective parental care and control in the near future. The key elements of this ground are that the supervising agency (CPS) must have made diligent efforts to provide appropriate rehabilitative services. (The state has failed to provide)

furthermore the court will be determining in retrospect whether the services offered were the proper services to remedy the existing family dysfunction and whether the agency made sufficient active efforts to make the services available to the parent.(the state failed to provide) This law was taken from the Juvenile law and practice "severance rule 6:4"(H) page 197

Honorable Judge

has failed to act with dignity, courtesy and patience; and has also failed to effectively manage (his) courtrooms and the administrative responsibilities of his office.

4.) The State Attorney, CPS and Guardian ad Litem for minor have failed to comply with the all court orders, are in contempt of the court and have shown bias to the biological mother (they never contacted me nor requested anything until and Motion for Severance.

* Denigration of Biological Mother's character/stander & Inter-state Harassment, causing severance from her family, employment, housing & education; Networked with with false information

WHAT ARE JUDICIAL PERFORMANCE STANDARDS?

High standards are set for Arizona's judiciary. Judges should:

- administer justice fairly, ethically, uniformly, promptly and efficiently;
- be free from personal bias when making decisions and decide cases based on the proper application of law;
- issue prompt rulings that can be understood and make decisions that demonstrate competent legal analysis;
- act with dignity, courtesy and patience; and
- Effectively manage their courtrooms and the administrative responsibilities of their office.

WHAT FACTORS DOES THE COMMISSION CONSIDER WHEN MAKING ITS FINDINGS?

The Commission on Judicial Performance Review ("JPR") carefully considers the following factors when determining whether a judge or justice "Meets" or "Does Not Meet" judicial performance standards:

- Statistical reports of the survey results compared to the Threshold Standard adopted by the Commission.
- Transcribed comments from public hearings.
- Written comments from the public.
- Written or oral comments to the Commission submitted by the judge or justice being reviewed.
- Information obtained from the Commission on Judicial Conduct.
- The assignment of the judge, e.g. Civil, Criminal, Family, Juvenile, Probate, Special Assignment, Administrative.