

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-310

Complainant: No. 1405710064A

Judge: No. 1405710064B

ORDER

The complainant alleged that a superior court judge demonstrated bias against her by making incorrect rulings. The commission reviewed the allegations, the trial transcripts, and the appellate brief filed on behalf of the complainant and found no evidence of ethical misconduct on the part of the judge. The allegations involve legal rulings that are outside the jurisdiction of the commission. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: March 16, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on March 16, 2011.

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

Signature (Valid Electronic Signature by)

Date 11.16.2010

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State of Arizona Commission on Judicial Conduct 1501 W. Washington Street, Suite
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COMPLAINT AGAINST A JUDGE

~~ My family was taken before
judge when the state of Arizona presented a case for termination of
my parental rights in November of 2009. Trial started at this time and the state
began to present their case in what was over a 30 day trial. During this trial
whenever attorney would object the judge would inform them "they could not object
until the entire answer was complete". When my lawyer questioned that would taint
the judges opinion she clearly said "she was the jury of fact and she could dictate
the rules how she sees fit". This was constant through out the trial. She also
allowed the states attorney to harass witnesses on the stand that were subpoena' d
by my attorney when he presented our case.

During all of this every objection that was made about laws by my attorney was
overruled, it went so far as the judge saying she was allowed to dictate the law
how she saw fit. Further when I received the trial transcripts a lot of what the
judge said in court has been altered or is just plain missing. I am sure if you
get a tape of trial and compare it to the court transcripts they are not even the
same and this has been verified by me simply reading the record to my attorneys
assistant who agrees that is not what was said since she spent every day in trial
with us.

Case history on this, CPS is removing a lot of children from homes and accusing
the parents of factitious disorder by proxy and moving to terminate parental rights.
In these cases they are using a psychologist NOT licensed in the state of Arizona,
she is licensed in California and on staff at UCLA, she at this time is under
investigation by the Arizona Board of Psychological Examiners for illegal practice.
The psychologist does not speak to any doctors when making these diagnosis' she
instead says she is more skilled then actual doctors even though she is a Ph.D and
not a MD. She is also under investigation now by the medical board is my understand
for illegal practice of medicine. She does not inform any parent that she is not

licensed in Arizona, she however says in court under oath she is not required to. The state also does not bring any doctors or medical records to court in these cases, they instead rely on only Brenda Bursch the psychologist from California's detailed account of the medical records that she was never a part of or never talked to any doctors that authored the records. Instead in the cases the parents lawyers are bringing the medical doctors to court. In my case all 5 doctors testified that I never did anything wrong and I never exaggerated symptoms or falsified symptoms in my children. In fact I was called a good and diligent mother.

The judge still in the end sided with CPS to terminate my rights to my children stating that the state proved through their one witness that I was medically harming my children even though they still have every medical problem while in care and every doctor said that the states accusations were simply not true.

During the trial the judge would chit chat back and forth with the court reporter and talked to the psychologist like they were old friends reminiscing about a past case they did together. My lawyer would object to the behavior and was told that wasn't something he could object to. Further the judge would chit chat with the states attorney Kristi Villarreal-Rex because they do so many cases together.

Sadly my attorney told me just two days in to court that the judge already had her mind made up and that he was going to bring stuff up so we had it on the record for the court of appeal but most of what he tried to bring up was shot down. His objections were not allowed to be heard however the states objections were, and a lot of that is actually present in the court transcripts. MY lawyer would object she would tell the person to continue with the answer and then said he only had the right to object after the complete answer was out. Then when he would object without hearing anything she would immediately say overruled. When he would try and ask questions the state would object right away and she would sustain the ruling without letting my attorney even say a word. A few times he had to ask "can I at least let my objection be heard so its in record" she would say "sure but I am not changing my ruling"

If you read the record and listen to the tapes you will hear this happen over and over again breaking codes of ethics and fair hearing rights and constitutional rights all over the place. Please understand I have taken this matter to the ACLU as well.

For a lot more information on the case you can go to this site that actually has all the broken procedure and policy on it by the department that the judge said did not matter to her, my appeal is on it and the entire background of everything involved

<http://voiceoftheaccusedmsbp.wordpress.com/> . Please consider that website further evidence being submitted by me to the board.