

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-167

Complainant: No. 1421410797A

Judge: No. 1421410797B

ORDER

The complainant alleged that a superior court commissioner did not review relevant evidence or allow her to present important testimony. After reviewing the complaint and listening to the recording of the hearing, the commission found no evidence of ethical misconduct on the part of the commissioner. Whether the commissioner improperly excluded relevant evidence and testimony is a legal issue outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: September 7, 2011.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on September 7, 2011.

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

2011-167

COMPLAINT AGAINST A JUDGE

Your name: _____

Judge's name: _____

Date: 7/1/11

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

On June 27, 2011, I appeared before _____ in regards to the father's petition to enforce parenting time. The absent ~~part~~ parent (Mr. Cox) had not seen all (3) children since Sept '09. During visitation/parenting exchange, I was badly assaulted, he was arrested, placed on a restraining order - all of this having occurred in front of my (3) kids and several Walldart employees and bystanders. I tried to explain to _____ that he has been under a restraining order through Maricopa Co. however it was explained to him that he could have other people pick the kids up or a court approved 3rd party agency. She continued to ask if I had provided him ~~ic~~ a 3rd party. I also was not allowed to respond to any of the statements made by Mr. Cox's attorney. On several occasions Mr. Cox was offered visitation, but refused to send another person, wanting to come himself. I continued to try to explain that I have a severe history of domestic violence ~~ic~~ Mr. Cox. I tried to explain the severity of the violence, I came ~~ic~~ police reports from different jurisdiction areas, affidavits from others. She told me the Domestic Violence was irrelevant to the parenting time. I tried to explain that her ordering me to have contact ~~ic~~ Cox was against my current protective order through Pinal County. That my lethality assessments and

(Attach additional sheets as needed)

supportive documents showing a case history of violence spanning 13 years were 'lc me' in court. She refused to review any of it. I also made the point and Mr. Cox didn't deny, that he was able to make contact 'lc me' (2) days after being served papers for non payment of Child Support, however Commissioner Morton would not ~~take~~ take it into consideration. Even though he stated (through his attorney) he had no way to contact me.

My life has been placed in danger, everything that I ever predicted this person to do, was done. I followed all the steps, took all the precautions that DV advocates instructed, I have been advised that because there was violence that occurred publicly and in front of my children different precautions and procedures should have been followed. Mr. Cox is using the court system to keep contact and control, and my situations all factual, weren't even reviewed or allowed into the 'decisions. With a current protective order, she ordered me to meet him, never once considering that I could be followed, my younger children do not understand the 'safety plan' of 2 years. Mr. Cox has tried to obtain my whereabouts from others, a pattern of abuse for more than a decade, documents, reports etc. She refused to hear any of it. This was unethical
(Attachment 1)

Any violence, death, intimidation any thing that happens to me is because of Commissioner Wendy Morton. If this doesn't help me, certainly it may help the next woman that enters her court room. I respectfully ask that something be done about this, I did everything I was advised to do, & all efforts ended by her.

(Attachment 2)