

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-192

Complainant: No. 1423710211A

Judge: No. 1423710211B

ORDER

The complainant alleged that a superior court judge improperly disclosed a private letter she sent to him and was biased against her son in his case. The commission reviewed the complaint and found no evidence of ethical misconduct on the part of the judge. Under Rule 2.9(B) of the Arizona Code of Judicial Conduct, when the court receives an improper ex parte communication, the judge is required to advise the parties and give them an opportunity to respond. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: September 26, 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 26, 2011

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

pg 1

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 7/26/11

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.

On 5/3/11, I, _____ appeared
as a witness for my son _____
on his divorce proceedings. Due to the
nature of the proceedings and the obvious
disdain Judge _____ showed for

I knew it was not going to go
my way. As a result I was extremely
careful on how I testified for fear of
losing visitations of any kind with my
grandsons and deliberately chose not to
testify in a negative manner against my
soon to be ex-daughter in law.

On 5/4/11, I, _____ wrote a
personal letter to Judge _____ regarding
my testimony and my concern for the
welfare of my grandsons. (Enclosed) This
letter was received on 5/5/11 by the
Courts and Judge _____

On 6/6/11, Judge _____ sent this
personal letter to both my son,
and my ex-daughter in law,
accomplishing exactly what I was
concerned about, damaging my relationship
with all parties. This letter was
refused as part of the court hearing
as noted in Judge Response, dated 6/6/11

7/20/11

Page 2 - Complaint Against a Judge

My complaint against Judge
is if the letter I personally
sent to the Judge was/is not
allowed to be part of the court
hearing than why not just send
the letter back to me as improperly
filed and thus not allowed.

Neither Petitioner nor Respondent
should of ever seen this letter
if it was not a part of the
court proceedings that Judge
himself prohibited.

Judge acted not only
unethically by allowing this letter to
be seen by Petitioner and Respondent
but completely irresponsible when
he directed this letter, that was damaging
to both parties and harming my
relationship with my grandsons!

If this letter was not going
to be allowed to be a part of a
court action then the parties
involved in the court action of
No. Ds-2010- should not of (over)

(3)

been privy to this information.
One does not get both.

Either this letter should
be admitted as part of the
hearing or the letter should
be returned to the one
who wrote it.

Judge should be
reprimanded for negligent
behavior and removed from
any further court action on
this case.

It is believed Judge
deliberately sent this letter
to both parties in this court
action as further proof of his
bias behavior he not only showed
in court against

but has proved it by sending
(respondent) a
copy of this letter. Respectfully,