State of Arizona COMMISSION ON JUDICIAL CONDUCT

| | Disposition of Complaint 12-079 | |
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| Complainant: | | No. 1438710356A |
| Judge: | | No. 1438710356B |

ORDER

The complainant alleged that a superior court judge failed to correct an error in her child support obligation.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to investigate the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 1, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer Executive Director

Copies of this order were mailed to the complainant and the judge on June 1, 2012.

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

Judge presided over my Relocation Hearing on May 24, 2010.

Referring to Minute Entry dated June 1, 2010; Judge ruled against the relocation and ordered the minor child to be returned to Arizona on July 15, 2010.

Judge set forth two different parenting plans; one if I remained in Missouri and one if I returned to Arizona. However, Judge neglected to calculate child support for both plans; he only entered an order if I remained in Missouri. The order states that I have to pay the Father \$240.00 based on 90 parenting days a year. If I returned to Arizona Judge ordered that we follow a 5-2-2-5 plan. I did in fact return to Arizona and filed an UPI on July 30, 2010 (enclosed).

The Father and I immediately began the 5-2-2-5 plan.

I filed a Petition to Modify the Child Support based on our equal parenting time (case history enclosed). I filed several Petitions and Motions for Reconsideration, every one was denied. Each time I filed, opposing counsel would file a Motion to Deny my Petition stating that there was not a substantial continuing change in circumstances. However, opposing counsel now agrees that there is and was in fact a substantial change in circumstances and neither party should pay child support based on our income and equally shared parenting time (enclosed Stipulation).

I have been paying child support for 17 months totaling \$4165.00. I was threatened with jail, found in contempt and in fact had to pay the responded sanctions (see minute entry dated 01/05/2011). Hon. wouldn't even look at the correct child support calculation at that time.

I never should have been ordered to pay child support based on the fact that I returned to Arizona, notified the courts of my new address and began an equal time parenting plan. Judge neglected to properly out line the order and subsequently I have been desperately trying to modify the order. His negligence has caused me extreme financial and emotional distress.