

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-229

Complainant: No. 1443010878A

Judge: No. 1443010878B

ORDER

The complainant alleged a superior court judge vacated his trial and held a telephonic status conference without giving him proper notice

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. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: September 21, 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 September 21, 2012.

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

There was a trial set in my case for July 11, 2012. On July 6, 2012 I wrote a letter to the court explaining that I did not have the financial resources to fly myself or the professionals from Washington State to Arizona. As newly appointed Judge [redacted] insisted that all of my witness' must physically be present in his court room. Without notifying me the July 11, 2012 court date was changed from a trial to a telephonic hearing. I was never contacted by anyone from the court for notification. Additionally ALL other parties were notified of the change. If this court has the time and ability to notify the other party of the change there is absolutely no excuse as to why I was not notified, as it appears to be intentional in nature, which violates my rights. This court has a legal responsibility to notify both parties of any and all changes made by the court. I did receive a letter in the mail postdated July 18, 2012 regarding the trial being changed to a telephonic hearing on July 11, 2012. The letter was mailed out 7 days AFTER the hearing took place, no attempt was ever made to contact me via e-mail or phone which the court has done in the past. Judge [redacted] ordered that both parties needed to submit a list of psychologists and that he would then be choosing from the lists to appoint a psychologist to the case on July 23, 2012. To this date nearly a month later Judge [redacted] has failed to appoint a psychologist in this case, when in his own words he wanted my son to start seeing a psychologist immediately upon his return to Arizona May 5, 2012. 3 months have gone by with my son living in a physically, mentally and sexually abusive home; Judge [redacted] does not display the abilities, knowledge or experience that is required to handle a case of this nature. I am keeping track of all inconsistencies made by this court and judge and will be forwarding all documentation and evidence to the governor of Arizona and appropriate media sources. As this court is violating my rights and failing to protect my son. This court and judge need to be held accountable and take responsibility for their actions.

Ben Stamm