

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-290

Complainant: No. 1454310797A

Judge: No. 1454310797B

ORDER

The complainant alleged that a superior court commissioner was rude, condescending, and erroneously failed to issue an ex parte protective order.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 and the recordings of all three court appearances, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: January 25, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on January 25, 2013.

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

2012-290

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 10/30/12

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 10/22/12 I FILED FOR AN ORDER OF PROTECTION AGAINST MY EX WIFE. I WENT THROUGH THE COURT ADVOCATE LOCATED NEAR LAW LIBRARY IN MARICOPA SUPERIOR COURT. I WAS INFORMED I NEEDED TO FILE AN ORDER OF PROTECTION AND GO SPEAK WITH _____ WHEN I WAS IN FRONT OF HER SHE WAS VERY RUDE AND CONDENSENING. SHE KEPT ASKING ME WHERE THE VIOLENCE IS AND I TOLD HER THERE WASNT ANY BUT MY PROBLEM STILL MET THE CRITERIA FOR AN ORDER. SHE WAS RUDE IN HER TONE AND ISSUED A PRE HEARING DATE.

ON 10/30/12 I MISSED MY PRE HEARING ~~BY~~ BY 15 MINUTES AND WAS INSTRUCTED BY _____ OFFICE TO REFILE AND I DID. I WAS PUT BACK IN FRONT OF _____ AND SHE WAS STILL RUDE TELLING ME I COULDN'T REFILE AFTER A RULING WAS MADE (TRIED TO EXPLAIN WHAT HAPPENED AND SHE SAID "I CANT CONTROL THE TRAFFIC YOU NEED TO GET TO COURT ON TIME" I ASKED HER WHAT I COULD DO NEXT AND GOT A MEAN "I WONT GIVE YOU LEGAL ADVICE". SHE COULD HAVE BEEN NICER BOTH TIMES ESPECIALLY IF I WERE AN ACTUAL VICTIM OF DOMESTIC VIOLENCE. I ASKED HER WHO HER SUPERVISOR IS AND SHE SAID "I DONT HAVE ONE" I ASKED HER WHO I COULD REPORT HER ~~TO~~ BEHAVIOR TO AND SHE SAID "NOBODY?"

(Attach additional sheets as needed)