

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-123

Judge:	No. 1087814684A
Complainant:	No. 1087814684B

ORDER

The complainant alleged that a superior court judge denied her the opportunity to be heard and displayed an improper demeanor

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 review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission approved sending the judge a private advisory regarding the use of a gavel as opposed to a raised voice in getting litigants' attention and a judge's duty to cooperate with commission investigations. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: February 12, 2014.

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judge on February 12, 2014

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

2013-123

COMPLAINT AGAINST A JUDGE

Your name: _____ **Judge's name** _____ **Date:** _____

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 _____ I have my first hearing to modify parenting time and child support. On this hearing he refused to read my _____ psychological report that he ordered to make sure our children are coping up well with the divorce. He did not even given me a chance to speak in behalf of my _____ mental abuse and anguish from their father. He asked the respondent's lawyer whether he ordered the psychological report then the counsel gave false information to favor his case. He was harrassing and taunting me while a was speaking and Judge just allowed the lawyer continue his misconduct. I believe that Judge _____ was not impartial and listened to the counsel more than me because I am pro per. This evidence was very important to my case that is why I wanted to modify parenting time. This is a major change of circumstance that he required yet he did not give me a chance to hear my case. When the hearing was going on he startet rubbing his forehead and looked like he is confused or frustrated with the case so then he gave all the petition to Commissione_____.

On _____ We had a evidentiary hearing for the same petitions from _____ since Commissioner _____ gave it back to Judge _____. While I was answering to Judge _____ questions Mr _____, the lawyer of _____ which in this case was the respondent, was laughing and taunting me. When I brought this misconduct to Judge _____' attention, in a split second he exploded, yelling and screaming at the same time pounding his fist on the table where he was and stated that "we are not on television". After that rage he went back to the case very calm like nothing happened. I can not believe what I witnessed. It seemed like I saw two completely opposite personality. Also, I observed the Judge kept rubbing his forehead like he was confused and frustrated just like during the previous court hearings. I am suffering from battered wife syndrome due to my previous abusive marriage. Judge _____ continued the hearing but I could not concentrate after his explosive outbursts I could not think straight. I have never seen a Judge acted the way he did and he should be responsible such actions. I do not believe he was in his clear mental state every time he handles my case. I believe he has a problem with me because I am a young minority that married an old man from a different country. I want to have an impartial and patient Judge that will hear my case.

(Attach additional sheets as needed)