

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-183

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| Judge: | No. 1065114723A |
| Complainant: | No. 1065114723B |

ORDER

The complainant alleged a justice of the peace failed to maintain control of a hearing and failed to protect her from harassment outside the courtroom after the proceeding.

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 complaint, 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 review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 21, 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 August 21, 2013.

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

June 26th, 2013

I am writing to file a complaint about Judge _____ who heard a petition to lift an order against harassment,

June 24th, 2013. These are my concerns.

1. When the proceedings began, _____ told the the court she had not read any evidence when she issued the order, only heard _____ read from something. When the proceeding began she let _____ again read from something he had with him. I asked for a copy (twice) of what he was reading and was ignored. At no time did _____ read his evidence, she only listened to what he was reading. What he was reading was not in context, just random passages. I did not recognize it. He was allowed to rant about a charity event we were both briefly involved in, and I could not follow what he was saying. What he was reading was not harassing and and irrelevant. I had with me the only three emails I sent to _____ I was not allowed to show them. _____ was reading from something other than those three emails. I was not allowed to see what it was.
2. My main concern was that _____ was posting this order on social media and bringing the order of harassment to social gatherings, and misrepresenting what the order meant. _____ tells people he got this because I threatened him. _____ finally admitted to the court he told people he was given an order because I threatened him. The judge did not comment or make a distinction between harassment and a threat. I think this is a huge mistake on the part of _____ to not even commenting. I have never threatened anyone.
3. _____ was allowed to continue to give only oral evidence of things I allegedly said. At least five times she asked "how did that make you feel?" At no time did the Judge look at what he was reading from, or allow me to do so. I don't know if the question, "how do you feel?" is common in

court, but to me it sounded like a therapy question. I was never asked how I felt about the things leading up to this order.

4. In my opinion [redacted] lost control of the courtroom. She allowed name calling [redacted] called me a drunken fool, among other slanderous things) and the Judge did not censure him. He was not asked for clarification of anything he said. In a legal court I thought only facts and evidence could be presented. When I attempted to answer questions he was allowed to interrupt me screaming, "yes or no, yes or no" I should have been allowed to answer questions in my own way as he was.
5. She allowed [redacted] to ask me a question that was irrelevant and prejudicial for this hearing. [redacted] asked me if I had ever been arrested in [redacted]. I looked at the judge and she nodded at me, so I had to answer the question in the affirmative. [redacted] attempted to ask more questions on that subject, and ONLY THEN did the judge say the question was irrelevant and he couldn't ask anymore question. At this point the judge said she had made her decision. The judge knew the question should not be allowed when he asked it, but she indicated that I must. I think she wanted to know, and the answer affected her decision. I was not allowed to tell the court that I have a police report from [redacted] stating that [redacted] obtained an order or harassment by falsifying emails, and saying I sent them. [redacted] repeatedly asked if I would submit to having my computer imaged. The judge did not question as to why he kept asking this. [redacted] said in court many "nasty" emails would be found. He had no proof of this. If he had them, he would not need have to have my computer imaged. Judge let him imply some kind of evidence would be found by imaging my computer.
6. [redacted] asked [redacted] a friend of [redacted] to leave the court room. When [redacted] left [redacted] told me it was of bad behavior. I don't know what she had done, but a witness in the court told me [redacted] rose from here seat, and trying to say something to the court. When my husband and I left the courtroom, [redacted] was crouched in the doorway and sprung at me. We kept walking and she chased after us making threats and comments. I turned and went back into the courtroom three and

asked for a security escort. continued to chase my husband to the end of the hallway. We were given an escort to our car.

has a surveillance tape of us leaving the courtroom and being chased by

I feel the court should have anticipated reaction at being asked to leave the courtroom, and asked for a security escort for me.

In conclusion I would like this case reviewed, and the order of harassment dropped.

1. did not look at any evidence when I was granted the order and she didn't look at it during the appeal hearing. She did not let me look at his evidence, despite me asking twice. After listening to an incoherent verbal rant, she said I had met his burden of proof. I was not allowed to see what I was reading from, and the did not look at it.
2. allowed I to call me names and made no comment
3. allowed to ask an irrelevant and prejudicial question which I think influenced her decision
4. showed no concern for my safety when she asked to leave the courtroom, but did not offer a security escort when I left her courtroom.
5. I have obtained and reviewed a copy of this hearing.

Thank you for addressing this situation