

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-281

Judge:	No. 1009514794A
Complainant:	No. 1009514794B

ORDER

The complainant alleged that a superior court commissioner abused her position, was rude and biased, did not follow the law requiring decisions to be in the best interests of the child, and improperly revealed the complainant's confidential address.

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 review, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: February 3, 2014.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on February 3, 2014.

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

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State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2013-281

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

Additional witnesses

Violations:

Rule 1.3 Abuse of position:

emailed the evaluation personnel with unfavorable comments of parties in attempts of manipulating the evaluation. (attempt to exert pressure by reason of the court employment). violated confidential records when she notified other party that I was in after misrepresentation of Mr. when he was not focused on my case and dismissed one part of a restraining order with when he was supposed to dismiss it with another judge so we could discuss why I obtained a second order with not hearing or asking my side of the story to obtain a fair objective on the matter assumed I was manipulating the system and dismissed both the orders instead of just the one and announced in the court room my whereabouts . My information was filed as confidential and now the safety of my children and I is compromised.

Rule 2.2

informed the other party that if he had any issues with a visit that he was to call her immediately. In seeing my eyebrow raise in what she had done she reluctantly offered the same to me. The night before the other party started manipulation. I called and notified her I believed there would be an issue as he was already texting and starting issues. There were issues in which I had to leave early and I notified her why via phone so I would not be accused of violating an order. The next visit brought manipulation of the other party making me run through stores, around the mall as he sprinted with my son in his arms in attempts of threats and intimidation to manipulate me asking for help. I called and explained what he was making me do as I was rushing through the stores trying to keep up with him and expressed to her I needed help protecting my son and I as I did not know what her order was and needed her to order the other party to keep the visit in one area to protect us from these actions. The other party proceeded to go in areas in which I could not follow with my protests not to do so. I was left with no choice but to notify authorities of his behaviors as I was to monitor the visits and could not with him going into areas where I could not go. never got my side of the story, never asked what happened, took the other parties

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explanation and accused me of manipulating etc. which was completely not fair as she took one side without the knowledge of the entire scenario etc. She continues this pattern throughout each and every hearing. She hears the other parties suggestions and complaints, looks at me, I open my mouth to respond and she rolls her eyes starts conducting other manners not allowing me to start, finish or get my point across and is rude to the point of getting up and walking out of the room in the middle of my sentences.

Rule 2.3

has shown extreme bias, prejudice and has allowed the other party harass me and manipulate her and the system to harass me in these proceedings. She makes bold statements of "you chose this man to have a child," (I was raped, I continually told her I did not choose him as the father). She throws comments out "your clients delusions," "just because your client is paranoid" (I have legitimate fears as I have been in an abusive relationship and know his patterns, behaviors and intentions and express deep concern for my safety as there are valid issues, that does not make me paranoid). She continues this prejudice in her expressions of thinking I have "mental issues" in an email to the evaluators when there is nothing in evidence or expressed that would even suggest this is true. I have never acted, been treated for, accused of etc having mental issues and am deeply offended by her unprofessional manner and behavior of mocking me, belittling me, harassing me legally etc with such rude comments. She glares at me, disregards any and all comments from me to show her total disrespect of me for whatever her personal issues are towards me completely impairing fairness of the judicial process. She is demeaning, stereotypical, threatens overnights 50/50 as she knows I have repeatedly expressed it is unsafe and unacceptable and not in the best interest of the child. Her facial expressions, body language etc have been extreme and very obvious of her issues with me.

2.4

is not following the law. According to ARS notes my lawyer made me study I am to be awarded the safety of having my information confidential. The other party is not to have overnights, 50/50 is deemed unreasonable and not in the best interest as we do not live in the same city have extreme conflicting schedules, he is to have supervised visits in which she removed in attempts to prove she was in charge showing she does not have the best interest of my child in mind and is clearly only about the fathers rights

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as the father has expressed thoughts of suicide on multiple occasions, has choked the mother, intimidates, threatens, has exposed both her _____ for years with his binge drinking issues that are severe enough to be a safety hazard that the mother is begging for the safety of her child until he can protect himself yet the judge continues to undermine the issues as if they are nothing. Police reports, medical records, videos etc have been submitted as evidence to make it clear that protection of an infant is in the best interest and should be the main focus, not the fathers rights, not false accusations of father towards mother. The law stated that if the one seeking legal decision making, rights etc was not to offend within a certain time frame of filing for paternity etc and if they did violate this that it was not in the best interest of the child for them to have legal decision making, against the best interest to have overnights, against the best interest for unsupervised visits, against the best interest to have confidential information given to them, they are to pay for supervised visits _____ stated that if mother did not pay for it father did not have to), _____ keeps threatening 50/50 (nowhere is this demanded or ordered, all my research that I submitted as evidence leads to it not being in the best interest of the child with our locations and schedules), _____ threatens overnights, told the other party to get his home ready for a child even though it clearly states this is not in the best interest of the child and mother clearly is against it as father exposed the children to his alcoholic binges that are not safe and this child endangerment is unacceptable as it is severe enough to leave the child abandoned, neglected, abused, murdered etc. (fathers tolerance to drugs is extreme, videos of him 28-31 hours sober show him almost dropping the child as the child struggles to get away from him, he sways and wobbles holding the child, he cannot focus to play with magnets on a refrigerator, shows expressions of aggravation towards the child for the child not wanting to be with the father who refused to leave the child alone) yet _____ states over and over that father just has convictions in 2006 and nothing further so he is fine now and alcohol is not illegal etc. showing total neglect on _____ part to provide sound judgement in the best interest of the child. I am unsure of the judicial education but I would assume that if a judges is in charge of family law and issues that the judge should be educated on spousal abuse, characteristics of said parties of how they manipulate carry themselves and have over the years won custody battles because those in charge of rules and regulations do not understand domestic violence and send mothers to get evaluated removing the child from happy healthy homes and into the offenders homes

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who end up harming the children etc. yet this continues over the years as competence levels on these types of issues is nil. competency levels on manipulation, mental health etc are in question with bias and prejudiced comments towards the mother, clearly not seeing these should be directed towards the father.

2.6

has shown zero evidence of remaining neutral, impartial and clearly violated avoiding unauthorized practice of law by giving out my confidential information, recommended the other party seek out specific personnel in the evaluation to contact in regards to mother.

2.8

As discussed in above responses, has clearly shown she is not patient, respectful, courteous in any manner.

2.10

sent an email to the evaluation office making it a public statement that she intended to affect the outcome and impair the fairness of the matter of accusations of father against the mother which substantially interferes with a fair trial and/or upcoming hearing.

2.11

Mother is not confident in intent on the best interest of the child is in fact in the best interest of the child due to her bias and prejudice and does not agree to have making decisions further in the case as they lead to child endangerment yet continues to set dates for hearings etc. actions have created an appearance of impropriety that seriously undermines the public's confidence and trust in the court system.

2.14

I am not a judicial employee but I do believe has mental and emotional conditions which cloud her judgement as she clearly cannot control her emotional outbursts and behaviors.

2.15

Clearly employees are in question of this, as with repetition of words and actions imply, I am positive she conducts herself in this manner with all her cases.