

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-118

Judge:	No. 110811097614945A
Complainant:	No. 110811097614945B

ORDER

The complainant alleged two superior court judges failed to follow the law, made erroneous rulings, and were prejudiced against and unfair to her.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 judges 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: May 21, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judges on May 21, 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

2014-118

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.

Please attachment
Thank you

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Case#

Plaintiff:

Respondent: (Mother)

Complainant (Mother)

I am filing a complaint against Judge Judge Judge and based on, if not more of, the following Code of Judicial

Conduct:

RULE 1.1. Compliance with the Law

A judge shall comply with the law, including the Code of Judicial Conduct.

RULE 1.2. Promoting Confidence in the Judiciary

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

4. Judges should participate in activities that promote ethical conduct among judges and lawyers, support professionalism within the judiciary and the legal profession, and promote access to justice for all.

5. Actual improprieties include violations of law, court rules, or provisions of this code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge.

RULE 2.2. Impartiality and Fairness

RULE 2.6. Ensuring the Right to Be Heard

A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.

1. The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.

RULE 2.11. Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

RULE 2.5

Competence, Diligence, and Cooperation

(A) A judicial employee shall perform court duties competently, diligently, and promptly.

(D) A judicial employee, when authorized, shall furnish accurate, timely information and shall provide access to public court proceedings and records according to established

procedures.

ISSUE(S) PRESENTED

1) The Order made by Judge _____ on _____ stated on page 2 that “the Court has reviewed and considered the _____ Report, and finds that it is thoughtful and thorough”. Mother is stating that this an incorrect judgment made by the Court. There were many obvious errors and a lot of discrepancies in the _____ report. For her protection, Mother recorded her interview with the _____ reported things that Mother did not say.

2) Page 2 of the Order, the Court stated that it finds **that the parties and the** _____ have resided in Arizona continuously for at least the _____ months preceding the filing of the Petition and therefore Arizona has jurisdiction as the “home state” of the _____ . This is wrong, dishonest and a clear misrepresentation of the facts and therefore a lie by the Court.

The Court was not fair and impartial or relied on the facts by making this incorrect statement. The Mother and _____ resided in _____ (for _____ years) and for at least _____ months preceding the filing on _____ .

This is a violation of A.R.S 25-1031; 25-1032; 25-1033; 25-402 and ultimately the mandatory provisions of 25-1034 with regard to Temporary Emergency Jurisdiction. The Court broke the law.

3) For _____ report, Ms. _____ did absolutely no investigation or got corroborating evidence for what was told to her by _____ and _____ which

shows lack of competency and thoroughness by the

4) .Mother called to find out the procedure to rebut the discrepancies and has not cooperated with Mother's attorney,

5) Several other Arizona Statutes were violated:

13-2701; 13-2702; 13-2703; 13-2704; 13-2705; 13-2707 which all speak about perjury, false statements under sworn statement and inconsistent statements which is "material" to affect the outcome of any proceedings. "Sworn statement" means any statement knowingly given under oath or

or not given in connection with an official proceeding.

6) Based on these Statute violations that I discovered in s report and based on #7 of the Order (page 5) Mother tried to bring the matter to the and to the Court.

7) There were many statements made by Father, and (suborning perjury by Father by contacting and persuading him to commit perjury by Father writing a letter on his behalf (is illiterate and cannot write and read).

8) At least documents were notarized or stamped by the Arizona Clerk of Court which contained false (lies) and therefore incorrect and misleading information and statements made by Father.

9) Judge Judge and Judge (who issued a restraining order based on lied) all made assumptions and made wrong rulings without getting the facts regarding this case.