

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-155

Judge:

Complainant:

ORDER

The complainant alleged that a superior court failed to schedule court dates and failed to listen to both sides, then subsequently recused himself for invalid reasons.

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. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 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 judge on August 21, 2014.

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

Commission on Judicial Conduct
1501 West Washington, Suite 229
Phoenix, AZ 85007

RE: Complaint about Judge

Dereliction of Duty

Commission:

My name is _____ and I am a law-abiding, tax-paying, American-born citizen residing in _____ County. I appeal to you for assistance in addressing the injustice bestowed as a result of the neglectful way in which Judge _____ mishandled our case.

Essentially, _____ chose to make a ruling without so much as a cursory review of the case. I have never been in court, seen or spoken to _____. A simple question of financial disclosure was all that was left to finalize this divorce. While opposing counsel was deceitful in the matter, I trusted that once we met with the judge, the judge would follow due process in accordance with the community property laws of this state and make a fair ruling based on facts. While waiting to find out when a court date would be scheduled, I was devastated to learn from my attorney that _____ during a brief phone call with opposing counsel, declared us officially divorced. He did not even look at the outstanding community property issue. Adding insult to injury, I was told that the court will be fining me and I received a huge bill from opposing counsel. Is this legal?

Following his egregious conduct, _____ recused himself from our case for reasons that have yet to be validated.

Even the worst criminals are afforded their day in court. Yet, my husband and I were found unworthy of this basic human right in _____ court. It is sickening that the family courts would treat people so poorly. Some would call this treatment despotism. After all, we pay the taxes that support the courts and pay judges' salaries. People who are seeking assistance from a family court are people with broken hearts, broken homes, and broken relationships. By the time they get to court, they've been through hell. For me, the only consolation I had left was that the judge would review our case, consider arguments from both sides, and follow due process. None of this happened. As a result of _____ carelessness and abuse of power, I was subjected to undue turmoil and I am experiencing financial hardship. It has been most unsettling to me that a judge could be so dismissive and careless with good, hard-working people and their life savings. How many others have been subject to this derelict behavior in your courts and suffer in silence out of intimidation, exhaustion or lack of funds?

What makes this matter even worse is that my husband's income source is from _____. At best, _____ disregard for the facts of the business issue relating to our divorce was careless. At worst, it smacks of collusion with opposing counsel, fraud and cover-up. This is all made worse for my husband's reputation, _____ and the courts because of the _____ involved. _____ actions place the courts in a precarious situation. I appreciate any assistance you can provide to remedy this situation and in holding all parties accountable for doing the right thing.

Sincerely,