

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-010

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made improper rulings in a custody proceeding, and abused his discretion, and did so to protect another superior court judge. The complainant also alleged a second superior court judge abused her discretion and power by making improper rulings in another custody proceeding, and then improperly recused herself.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judicial officers' rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judges 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 11, 2015

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 February 11, 2015.

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

2015-010

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 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.

On _____ the judge allowed the opposing parties to argue allegations in a petition for custody which had not yet been served onto mother. The judge then made orders based on the allegations. This was not only a bias but mother was prejudiced in court.

On _____ The judge stated in open court that she did not reach mother's evidence, the evidence included a _____ and _____ of _____ the judge abused discretion and showed an abuse of power by having CPS take the child from mother without taking both arguments into consideration.

The judge continued to make rude and abusive comments toward mother stating mother "was not seeing reality"

On _____ The judge granted Father sole custody without parenting time for mother. This is an abuse of power and violates the judicial conduct. The judge had no specific reason or evidence proving mother to be a danger to child. The judge recused herself from the case after mother had posted on her husband's campaign site that the judge gave custody to a "possible abuser". The judge broke the rules of judicial conduct here by recusing herself from a case, due to personal bias that resulted from ^{possible} prohibited political activity.

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On or about _____ the judge in the case
stated to mother that she could submit and psychological
evaluations from another court to satisfy ~~the~~ his court.
mother submitted the and psychological test results and
~~the~~ submissions were denied. The judge granted sole
custody to the father and allowed father's "hearsay" allegations
into his decision despite mother proving w/ evidence the allegations
to be untrue. mother is worried that this judge did these things
to possibly protect another judge in _____ court - so ~~the~~ by
granting sole custody to other parent the judge built a
This judge additionally called another judge in mother's
other child custody case and gave him the "hearsay" allegations
and his own opinions, the allegations and opinions can be
seen on the other case filing. its an abuse of discretion
from further breaches judicial conduct.