

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-140

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made improper rulings about a placement in a juvenile 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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, 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: July 1, 2015

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 July 1, 2015.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature: _____

Date: _____

INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

See attached

IN REFERENCE TO:

To Whom It May Concern:

I would like to file a complaint against an AZ Judge. Judge _____ County of _____ Court, failed in her duties as a Judge. Judge _____ didn't look at all the information available in making a non partial decision. She placed the heaviest weight of her decision on the desires of the Probation Officer, who was probably least equip from an educational stand point. Judge _____ ended up proving just how broken the system is in our fine State of AZ. I feel that she missed an opportunity to have done something positive for a _____ old boy, who needed help, my _____

The most important recommendation came from Dr. _____ from _____ AZ. The psycho-sexual evaluation for _____ was administered by _____ on _____ Just _____ hrs prior to the test, _____ had _____ removed and was on _____ every _____ He was in extreme pain and distracted, which were the exact words from Dr. _____ as reported by _____ Attorney. _____ couldn't even finish the test, _____ had _____ to return the following week. You would have thought as a professional that Dr. _____ would _____ have rescheduled this evaluation. She didn't, and proceeded with the test and her final recommendation determined that _____ tested moderate to high. I feel that if Dr. _____ would _____ have rescheduled the test when _____ was feeling better and not taking _____ every _____ the results of that test might have been different. If in fact, this report was so important, you would have thought that the Judge and all other Professionals would have reviewed this report by Dr. _____ much more seriously and questioned her professional opinion on _____ test results, if given the test when he was at normal capacity and thinking clearly, would the results have been different? Since this report was defining the fate of _____ Judge _____ should have determined this report was in valid due to the condition of _____ health at the time of the test. It needed to be fair and balanced. The Judge had several questions and doubts on Dr. _____ report and even questioned her credentials, but that is as far as she took it. According to all of the Professionals, they were all basing there decisions on this evaluation. I also feel that, Judge _____ had only listened and considered the recommendations from Dr. _____ Probation Officer, _____, which was to send him to a _____, _____ treatment center in Phx, AZ, because as well, she based her recommendation only on Dr. _____ report. The Advocate _____ who's recommendation was a _____, which he solely based his recommendation on the report of. Dr. _____ I believe that Judge _____ based her decision only on the recommendations of all these Professionals, and didn't even consider any other opportunity that would have been best for my _____

She totally ignored the testimony of a renowned Psychologist by the name of Dr. _____ and _____ President/Counselor with _____ The _____ grandparents also stated that _____ was making great progress in areas of his life. Judge _____ admitted that she only skimmed thru Dr. _____ report and she listened to _____ testify on how his therapy sessions work and included his long term therapy curriculum. _____ also spoke at the hearing about how impressed he was with just the few sessions with _____ was already showing progress. Judge _____ never even took in consideration the rapport that had already been established between _____ and _____ As we

all know, it is extremely important to anyone who is going through therapy that you have a connection and are comfortable with your therapist.

The recommendation from the Probation Officer had been tainted by [redacted] mom, my [redacted] who was extremely jealous and fixated that we were trying to steal her son from her. [redacted] my [redacted] was hoping for a Level 1, but excepted the Level 2 Group home, just as long as [redacted] was out of our home. [redacted] told the Judge in her statement, that the reason she wanted this for her [redacted] was that he needed more intense therapy, and needed to be punished and held accountable for what he did to [redacted] and continued saying that he would repeat if he didn't get the help he needed. I thought that the Conditions Of Release and Safety Plan has never been intended as a punishment, that the Condition of Release and Safety Plan are set in place to protect the Victims, Community and Defendant, and to determine how best to offer the opportunity to rehabilitate. Unfortunately, the tactics that were used demonstrated the opposite. They all failed in what Conditions of Release and Safety Plan definition was, meaning the Probation Officer and Advocates/ (GAL), because if any of them had done there job properly, they would have seen that this wasn't the truth and that these were false accusations. If in fact, the Conditions of Release and Safety Plan had been enforced the truth would have presented it self and the Judge wouldn't have allowed them to only focus on punishment for [redacted] None of them had asked for an interview from me or my husband, which led us to believe that they didn't really care and it wasn't important enough to get our side of the story, and hear for themselves how well [redacted] was doing since being placed in our home for months. None of them cared what was going to happen to [redacted] because it all benefitted them and there organizations. You would have thought that a red flag would have gone up with the Judge, but no, it was completely over sighted on her part. [redacted] had accused me, and her of minimizing [redacted] behavior and undermining [redacted] guilt, which was the furthest from the truth. We felt it wasn't our place to punish him because he was already being punished being on house arrest, probation, and the lost of seeing his Family. We just wanted to help him and he was receiving that help. These were false accusations from all of these people who are suppose to be professionals and a mother who states she loves her son.

[redacted] was quite troubled when placed with us on [redacted] He had been taken out of a dysfunctional environment. As grandparents we wanted to provide a stable and loving environment and allow [redacted] to focus on being positive, getting a good education, and have productive therapy sessions. [redacted] was beginning to thrive at home, schools and in his therapy. [redacted] received an award and he was promoted from [redacted] grade and was looking forward to attending [redacted] continued to work hard at home on his attitude and behavioral concerns. He also has worked extremely hard in his therapy sessions with [redacted] and [redacted] was starting the healing process. He was happy, grateful and loving and was moving forward in a positive way. He never complained at all and followed his conditions of release. I feel that Judge [redacted] didn't even consider or listen to what the professionals had to say or what I (we, the grandparents) had to say. How detrimental this was for [redacted] and I, his grandmother, to see the system remove him from such a loving environment. Judge [redacted] took him from this environment and put him in a [redacted] Group Home. Even Dr. [redacted] warned them that this action would be detrimental to [redacted]. They placed him in an environment where he is in association with hard-core delinquents with even more serious sexual behavior issues. If Judge [redacted] would have actually read the report from Dr. [redacted] she would have seen that her decision was not in my grandson best interest.

Thank you for excepting my complaint on Judge
available upon request!

Copies of reports, are

Sincerely,