

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-272

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made improper rulings in a family law case.

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: November 18, 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 November 18, 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.

Judge _____ currently holds _____ of mine, in regards to my _____ Judge _____

This complaint is in reference to case: _____ Judge _____ made a ruling on this case, listing several reasons for her decision, which after reading, are shown to be UN-TRUE, with NO EVIDENCE, or testimony or EVEN suggestion to support the ruling. The ruling was on PAGE _____ she states _____

_____ - Interfered is not explained, and there is no evidence suggesting or showing this _____ happened. PAGE _____ the last paragraph states _____

_____ resulting in his incarceration for many years, and the Judge knowing this along with my therapist reporting my suffering from _____ on me have responsibility to reach out to the man that committed this + other crimes? PAGE _____ the first paragraph states, _____ after the investigation started in _____ because mother didn't provide with _____ This is FALSE, and was shown to the court through _____ name was on our _____ and _____ contacted _____ month into the investigation, father was choosing not to comply with _____ services until _____ into the investigation as stated in _____ records, and mother, (myself) didn't have father's address or phone # because the last contact I had was in _____ when he went to prison for _____ . PAGE _____ the _____ paragraph states _____ saw every month and on weekends. This is FALSE, shown in _____ records, father had only seen _____ when they sent me _____ to reside with him under temporary order _____ PAGE _____ lists an allegation made that I am still innocent of, and is being resolved and cannot be used against me until innocence is ordered or conviction made.

CONTINUE...

PAGE states, grades have in fact been declining since sent to This same paragraph states belongs to a my reported he no longer wants to play in the therapist he wishes to stay in yet in states that per his Arizona with states Therapist notes from

These records were also provided to the courts, mother has to complete a Psychological evaluation, I agree to complete this exam, but have told Judge on numerous occasions I cannot afford the this, with no response, and have asked for assistance, paying for reminding and incessant filings in this case also cause the court often concern about mental health and substance abuse. I am not an attorney and can't afford legal assistance with my filings, therefore I do my best. This in no way should be an indicator of my mental stability nor my sobriety. I test weekly for this very Judge, and ALL of my tests since have shown my sobriety with exception to medicine I was prescribed and taken appropriately.

PAGE states, is concerned that if mother doesn't get help, the children will not be safe in her care. This court has been given evidence of mother's extensive and continual treatment by mother including parenting classes, substance abuse classes, weekly counseling and stress management classes. states is and mother has been sending has become upset. This entire paragraph lists self reported comments from father, with no evidence to support it. This was stated after the court reviewed online remarks including

long for father including, rebellion, breaking orders of behavioral control

#6 States again, An allegation only our did not want to speak to his father, and I couldn't force him shortly after his father withdrew his and disappeared again. PAGE 7, the first paragraph states, This is FALSE. report dated given to Judge as well, states father committed on our due to neglect or abandonment, which is he has been alive, and in my abandoned and custody. AE

PAGE 9, continued

does specify, father committed also states that she considers A.R.S. § 25-403.03 (D) which says,

Judge

Her order

If the court determines that a parent who is seeking sole or joint decision making authority has committed an act of domestic violence against the other parent there is a rebuttable presumption that an award of sole or joint decision making authority to the parent who committed the act of domestic violence is contrary to the child's best interest.

Judge continues to state:

Here the presumption does not apply because at least one act of domestic violence against

has not committed

PAGE continues...

To determine whether

has overcome the presumption, the court considered

1. has had no significant time to show the court this.
2. never completed this specific class
3. never received help, although he has a significant history of
4. n/a
5. n/a
6. No one has checked

PAGE 11 begins with,

has reviewed his counseling notes from stating committed abandonment.

as well as

After the court

report from of

PAGE second paragraph states

Judge previously ruled that paternal family members were being extremely bias and therefore could no longer supervise parenting time. We were ordered to further exercise parenting time through the agency, since the agency has taken over ALL visits have been appropriate, positive, and show my exceptional parenting and bond and NO suspicion of drug use

PAGE 12, fourth paragraph down states

inception of this case. This is FALSE, all of my UA's + hair follicle tests have been clean with exception to my prescription medication which was taken appropriately. has tested positive since the