

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-295

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge entered orders in a non-existent case and violated her constitutional rights.

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: December 9, 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 December 9, 2015.

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

2015-295

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date:

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

ON JUDGE
COURT JUDGE OF
COUNTY, ARIZONA - GRANTED AN EMERGENCY
GUARDIANSHIP PETITION - CASE

PETITIONER:

RESPONDANT:

A HEARING WAS SET FOR ON
THE TEMPORARY ORDER. THE TEMPORARY ORDERS
HEARING DID NOT CONCLUDE TIL THE FOLLOWING
DAY

AT THE TIME OF THE TEMPORARY ORDERS HEARING
THE RESPONDANT WAS REPRESENTED BY COUNSEL.

AFTER THE HEARING THE RESPONDANT
COULD NOT USE THE ATTORNEY ON HER CASE.

THE TEMPORARY ORDERS HEARING
WAS NOT EXPECTED AND COST

HER ENTIRE RETAINER. WHILE THE RESPONDANT
WAS LEARNING HOW TO ASK THE

COURT TO CHANGE THE JUDGE.
RECEIVED A NOTICE / COURT ORDER DATED

THE NOTICE / COURT ORDER IN RE THE MATTER
OF AND

PETITIONERS VS. AND
RESPONDENTS IN RE
GUARDIANSHIP OF
CASE

(Attach additional sheets as needed)

DOES NOT EXIST. THE CLERK IS DIRECTED TO PROVIDE THE LITIGANTS WITH COPIES OF THE RESULTS FILED

THE COURT SET THE MATTER FOR A REVIEW / STATUS HEARING TO CONSIDER THE SUSPENSION OF MS. TEMPORARY VISITATIONS..

HEARING DATE AGAIN
THERE IS NO SUCH CASE WHERE THE RESPONDENT WAS THE PETITIONER FOR GUARDIANSHIP OF WITH RESPONDENT BEING AND

RESPONDENT FILED A MOTION ON TO CHANGE THE JUDGE IN HER CASE

THEN RECEIVED ~~ON~~ THE NOTICE / RULING / ORDER DATED IN RE THE GUARDIANSHIP OF: A MINOR

PRESIDING JUDGE HONORABLE COUNTY, ARIZONA:

THE PRESIDING JUDGE ON LINE # 3 STATES "REVIEWED THE ENTIRE FILE"

LINE 8-9 - THE PRESIDING JUDGE
STATES MS. WAS SUBJECTED
TO A DRUG TEST WHICH SHE FAILED...
(1.2, 2.2, 2.3, 2.4, 2.5, 2.6, 2.9)

WHERE IN THE ENTIRE FILE / RECORD
DOES THE PRESIDING JUDGE SEE
AN ORDER FOR DRUG TEST IN CASE #

WHERE IN CASE #
DOES THE PRESIDING JUDGE SEE
EVIDENCE OF RESPONDENT
FAILING A DRUG TEST FOR

THERE WAS NO DRUG TEST FOR
CASE

THERE IS NO EVIDENCE THAT
RESPONDENT FAILED A DRUG TEST BECAUSE
THERE WAS NO DRUG TEST FOR

LINES 9-10 - UPON RECEIPT OF THE
RESULTS THE COURT SET A STATUS
CONFERENCE, IT WAS AT THIS POINT THAT
THE CHANGE OF JUDGE PLEADING WAS FILED
(THIS ADDRESSED WITH LINES 36-38)

LINES 11-16 ADDRESS HOW Ms
RESPONDENT ERRORED IN HER REQUEST
TO CHANGE JUDGE

LINES 17-35 ADDRESS WHY CHANGE
OF JUDGE FOR CAUSE IS BEING DENIED*

LINE 36 - BOTTOM LINE

LINE 37 - STATUS HEARING POSITIVE DRUG
TEST.

LINE 37 - NOTHING IN THE ENTIRE FILE

~~INDICATES ANY ACTIVITY.~~

LINE 38 - RECORD OF THIS FILE INDICATES
ANY ACTIVITY THAT ~~ANY~~ WOULD BE
CONSIDERED INAPPROPRIATE.

STATUS HEARING POSITIVE DRUG
TEST - THE ONLY RECORD ON FILE
FOR A STATUS HEARING

IN WHICH RESPONDENT
IS TO APPEAR

~~WANTED~~ BE FOR REFUSES TO ENCLOSED
NOTICE / COURT ORDER IN RE THE
MATTER of

AND

PETITIONERS

DAVID

IS LISTED AS PETITIONER - NOT
RESPONDENT. IN CASE
THERE IS NO RESPONDENT OR PETITIONER

Ms. RESPONDENT
CASE ~~A~~ IS NOT A
PARTY TO ANY CASE WITH
AND
WHERE GUARDIANSHIP OF
A IS IN QUESTION...
- THERE IS NO SUCH CASE.

WITH NO SUCH CASE, HOW COULD
THE COURT POSSIBLY HAVE EVIDENCE
SUBMITTED INTO COURT?

IF THE PRESIDING JUDGE REVIEWED
THE ENTIRE FILE! OBTAINING
THE LOCATION OF DRUG TEST ORDER
EVIDENCE ENTERED INTO COURT
BASED ON DRUG TEST FOR CASE
ORDER OF HEARING
FOR STATUS HEARING ON CASE

THERE ARE NO SUCH ORDERS FOR

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**