

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-337

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made delayed rulings or failed to make rulings on pending matters 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: January 13, 2016

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 January 13, 2016.

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.

On _____ Judge _____ ordered Mother (_____ to supervised visits with our daughter _____ ordered _____ to have the nanny who was watching our daughter at the time of the hearing to drop her off with me her Father _____ at a police station. _____ dropped our daughter off herself anyway and I was forced to make a police report. The officers made the report and told me to take it up in family court. My attorney addressed this situation multiple times in court but never addressed the issue.

On _____ recommended that _____ continue counseling _____ said she was already receiving under oath. _____ my attorney at the time tried to confirm _____ counselors and _____ even tried to confirm the counseling but _____ would not release the counselors names. Finally after months of trying _____ finally released the counselors names in trial on _____ only to find out _____ did not start attending counseling until _____ did not address this at all.

On _____ we filed a motion for the release of CPS records, especially after Mother tried to get temporary orders on a CPS report she made for _____. A minute entry was released _____ ordering theses reports and the judge did not address them again until a Therapeutic Interventionist _____ was appointed and still till this day these records have not been addressed or even acknowledged that they were received but anyone.

After having full custody of _____ or 4 months with Mother only having supervised parenting time I had my lawyer file a motion to establish child support on _____ Child support was not again addressed until _____ and a hearing was set for _____

On _____ my lawyer filed a contempt motion for mother claiming our daughter on her taxes and not letting me claim our daughter at all even after an order was placed back in _____

, this motion was not addressed until . and a hearing was set on

On my lawyer filed motions objecting to Mother's witnesses for trial because Mother and her lawyer could not provide any information for the witnesses so my lawyer wasn't able to contact any of these witnesses for the trial. These motions went unaddressed and on the day of the trial all the witnesses were allowed to testify. One witness in particular was able to testify from but when the judge wanted her to prove her identity she made an excessive amount of excuses and even went as far as to hang up while testifying and we never heard from her again. Again, this situation went unaddressed.

On my lawyer filed a motion for release of video from showing mother closing the door with in her arms without the supervisor after the supervisor told o wait in the lobby until she got back. Again, did not address this issue.

On issued a minute entry in which she ordered the to pick up mental health records. review them, and make a report based off the records for the judges ruling. Report was issued

On we had a trial, promised to issue a ruling in a timely manor. On (2 months later) issued a minute entry claiming she "short changed" mother a hour of time during the trial and ordered a continuance for again promised a ruling in a timely manor but over the next few months issued minute entries claiming she was not ready to make a ruling because mental health records had still not been received by mothers counselors and before she could rule she ordered a TI to get involved first. I met with the TI (once, met with her twice, and and I met with her once. I provided 2 reports, one in which she claimed Mother refused to do anymore visits with her. Again, did not address this and issued a ruling on 2015. It took 10 months to make a ruling in my case costing me over \$50,000 in lawyer fees because of the huge delayed responses in every single issue from .

On the updated her report about Mother refusing services and her being "worried" about the child in Mothers care. Also, ordered the be able to look over any records pertaining to mother, child, or myself. When the TI asked mother for the names of her therapists mother refused to give her the information. No mention of any of this, not even the update from the TI was reported in the ruling.

During majority of the hearings and Trials opposing counsel was extremely unprofessional. She even went to great lengths of calling my lawyer "dyslexic" right in front of and everyone else in the courtroom, absolutely nothing was done by for the unprofessionalism after my lawyer even raised the issue.

reviewed exhibits where I believe I proved Mother spoofed or was being fraudulent, however the judge cited those exhibits in her ruling but did absolutely nothing. refused to allow the proof of a fake 911 call into a hearing but 2 minutes later she allowed submit something as an exhibit regarding that same issue.

I have requested multiple times through my lawyer and in court for Mothers home address, Mother has provided an "old address" multiple times claiming that is where she lives, just recently Mother has come forwarded claiming she has moved (only because my daughter has told me that she has a new house) but will not disclose her new address. So every other weekend and starting in every other week I will have no clue where my daughter is residing and was allowed this.

Last, on my lawyer filed a motion for clarification for the holiday schedule coming up in a couple of weeks. It has been over a week and still no clarification has been made by