

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-351

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge was prejudiced against him, was not prepared for court, and made improper rulings in a family law matter.

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.

Commission member Margaret H. Downie did not participate in the consideration of this matter.

Dated: February 10, 2016

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on February 10, 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.

Greetings to the members of the Commission:

My name is \_\_\_\_\_ and I am filing this formal complaint as a victim of judicial misconduct. This complaint is arising from a joint custody hearing that was presided over by The Honorable \_\_\_\_\_ and \_\_\_\_\_. There is five points that I would like to address within this claim and bring to the attention of the Commission.

- 1) **The Honorable \_\_\_\_\_ stated she did not have time to read case-but changed and made new orders;** At our \_\_\_\_\_ hearing this is when the statement was made, however without any supported cause other than the request of the respondent \_\_\_\_\_ seen fit to grant all changes to visitation asked for by respondent \_\_\_\_\_. The current order of visitation at that time was ordered by \_\_\_\_\_.
- 2) **The child support was wrong and she did not change it;** after the ruling was sent via mail my child support was set at \$489.65 according to my proven income and according to the child support calculator it should have only been around \$250. I have two other minor children that I care for and that wasn't taken into consideration. I filed a motion to reconsider along with all my check stubs from \_\_\_\_\_ through \_\_\_\_\_ and the motion was summarily denied.
- 3) **The Honorable \_\_\_\_\_ Summarily denied the motion for reconsideration;** after the ruling a motion was prepared by \_\_\_\_\_ that was prepared after she viewed the video of the hearing. This motion was prepared to have the ruling modified but it was also summarily denied. This motion has been attached to this complaint for viewing.
- 4) **The Honorable \_\_\_\_\_ reference to my demeanor multiple times;** I did not understand how my demeanor was a negative action against me. After attorney \_\_\_\_\_ viewed the hearing she also was not sure. My demeanor was calm, even-tempered and appropriate throughout the whole proceeding.
- 5) **The Honorable \_\_\_\_\_ asked mother specific questions that favored her, but did not do the same for me;** During the questioning process I was asked broad open-ended questions about what I would like the court to do for me, but asked the mother specific leading questions that favored her. There was not any evidence submitted by mother to support her allegations and the evidence that she did submit was contradictory to her allegations. The medical professional's report stated there were no signs or symptoms of abuse. She was found to be credible stated by the Judge and again this decision was determined by my demeanor as also stated by the Judge.

I thank you for your time attached is the motion filed by \_\_\_\_\_, a copy of the minute entry denying the motion and the names of the persons that viewed the judicial misconduct.

Respectfully

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