

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-354

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner did not thoroughly review the file prior to court, appointed an attorney who had previously served as a judge on the case, and made improper rulings in a family law matter.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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.

After review, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. The commission approved sending the judge an advisory letter that court appointments should comply with the Rules of Professional Conduct so as not to put the judge in a position of violating Rules 1.1 and 1.2 of the Code. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission members Gus Aragón and Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: March 30, 2016

FOR THE COMMISSION

/s/ Peter J. Eckerstrom

Hon. Peter J. Eckerstrom
Commission Vice-Chair

Copies of this order were mailed to the complainant and the commissioner on March 30, 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.

This was Hon. _____ first time hearing our case. (_____) Our case is extremely large and complex, and it was obvious that Judge _____ did not review it thoroughly. I'm afraid that any further exposure by Judge _____ to my case will be a continuation of devastation to my family.

Judge _____ appointed a Child's Attorney for my son _____ was placed with me personally by Judge _____ after extensive research into our entire past, an arrest of mother for _____ multiple warnings and a Contempt finding of _____ for not obeying the court in offering my children for parenting when I was legally allowed to have them, Court-

The attorney that Judge _____ appointed, was the attorney that wrote our comprehensive Court Order of _____, the then Judge _____ . This attorney mediated a 50/50 custody arrangement for my children _____ ; this being after CPS (now DCS) had placed them with me for the previous _____ months because of their mothers medical, emotional, and mental abuse. Further, _____ after having conducted court-ordered full psychological evaluations of this entire family, (100% paid by _____ testified in Juvenile Court of _____ that _____ (with her findings of several mental and emotional disorders of _____) _____ . These facts and findings were still fresh when the Hon. _____ ignored them in _____, issued the 50/50 arrangement (that _____ never followed after the Order was issued) and caused the years forward to become filled with horrible results, police action, and emotional destruction of my children. This attorney's style was obviously the type that believed in evenly divided arrangements, no matter what the influencing circumstances surrounding the case included, and no matter who would be harmed.

Further, in the brief _____ that Judge _____ addressed our case on _____, he made (probably what he believed to be) unbiased verbal comments that would later show up in print as an Order saying,

1. "

Because of the incredible history of proof and evidence from these witnesses I've listed below. (among many more) not to mention the _____ and maybe _____ funds to facilitate that proof over the past _____ years, along with the nearly _____ spent in private therapy for

in the past years to help him understand and assimilate his entire life events, and the reasons for his current situation, his mother's mental disorders, etc., these matters have been firmly established for all to see- and even summarized in a Court Order dated in the court of the Hon.

In the Minute Entry of as well as verbally in court that day. Judge also made the comment that in print. (No.) 2. "

With the initial court-ordered Psychological Evaluations conducted in by , ordered by Hon. was found by to have . Not only would these findings be confirmed exactly the same in another court-ordered Psychological Evaluation in , ordered by Judge , and conducted by , but the Evaluation had to be sealed by the court because it contained the word " " with reference to potential.

With the initial court-ordered Psychological Evaluation in for myself, ordered by Judge , and conducted by , no whatsoever was detected. In years since, attorneys, therapists for (many that had personal relationships with her) CPS complaints that or one of her associates would initiate, (all eventually deemed unsubstantiated) would attempt to influence the court with comments and accusations that some type of mental or emotional disorder. Court-ordered therapists, CPS (DCS) and other experts listed below, in their investigations into our family and our case had many many exposures to my thoughts, ideas, parenting and lifestyle, never to find that there was any type of

The fact that Judge refused to hear any of these facts in court on without any prior knowledge- and then put his comments in his Minute Entry and Court Order, shows ignorance and a lack of knowledge of our case possibly resulting in further devastation to our family. Especially this, after Judge and Judge only recently declared that enough time, effort and money has been spent on the same conclusions over and over, and that no further attorneys, therapists, etc. should be ordered anymore, as my children are now and respectively, from turning

throughout the years, brings petitions to the Court and attempts to file CPS (now DCS) complaints frequently, against me. Some are rejected by the Court. finds fertile grounds when the appointment of a judge has been completed, and a new judge is appointed. She preys on the possibility that the new judge will not pour through the of pages of our case to determine all the facts, and confirm that their findings were well-founded. This is again what has done in filing a Petition, now with the appointment of Judge . True to her intentions, Judge has ignored the multiple Court Orders in the past few years that have

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emphatically said that [redacted] parenting of my children is dangerous to their mental and emotional health. After exhausting Psychological Evaluations, other PhD therapy sessions, court-ordered Court Advisor meetings and reports, and [redacted] of Court Hearings, once again Judge [redacted] and Judge [redacted] concluded that there is no further need to appoint attorneys, therapists, etc. for anyone else in this family. These things have been decided conclusively between the [redacted] over and over, throughout a [redacted] period. Any of the reports attached, including the full Court Order of [redacted] and those since, will confirm this.

In addition, as notated by law, there has certainly been no substantial and/or ongoing change in circumstances that would warrant attempting to reevaluate any Order that has been issued by the Court in recent years. Judge [redacted] would not even hear the argument that the above statement is true. I attempted to share this point.

The attached Reports, Court Orders, and Evaluations confirm all that I have written in this complaint. In addition, I have [redacted] pages of CPS (now DCS) investigations and their findings that have consistently been unsubstantiated, if requested. There are also [redacted] pages of Minute Entries from [redacted] as well as from [redacted] past CPS cases. Please review them carefully if there is any doubt to the truthfulness of any statement of fact that I have shared in this complaint. These are all of the authorities that will confirm all that I have written here: (there are others available if needed)

Judge

Judge

Commissioner

Commissioner

My children are [redacted] illnesses, [redacted] ruined the close relationship I had with [redacted] Because of their [redacted] I have been unable to spend time with her since. (please see [redacted]) After reviewing [redacted] the evidence, one judge said, "I [redacted] was placed with me after an intensive exhaustive review of our history, and continued abuse of the [redacted]"

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Court system by . Judge does not even have a fraction of the insight into this case to make the snap judgment and accusations that he made. Judge would surely prove to be a further detriment to our family.

Thank you.

Sincerely.