

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-003

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner was prejudiced against her due to her disability and made improper rulings in a child support 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.

The commission does not have jurisdiction to review the legal sufficiency of the commissioner's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: February 10, 2016

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on February 10, 2016.

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

2016-003

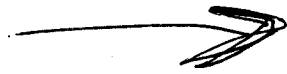
COMPLAINT AGAINST A JUDGE

Name: _

Judge's Name: _

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

I am Formally Accusing _____
 of Discriminating
 against me _____, herein Arbitrary,
 and bias on _____
 Even though this is a child support
 case and my ex husband
 has fail to pay his child support the
 entire court case has been not on
 child support or the well-being of my
 children, but on it whether I am
 disable or not, I have been ordered
 by _____ to pay the lawyer's
 fees of a man that owed over \$8000
 dollars on child support because the
 affirms that I am not
 able and I can go back to
 work. I have provided ample
 medical prove that I cannot work
 statements from the _____ the
 Social Security Office, from my physician
 the _____ insist that I can work.
 I believe _____ is Discriminating
 against me because my disability cannot
 been seen with the naked eye.



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To Support my case please
 see Formal letter of Complaint to the
 Commission on Judicial Conduct (4 Pass)
 Motion of Reconsideration
 Motion of Reconsideration
 Motion of Reconsideration
 Motion of Reconsideration
 Motion of Reconsideration
 Court Papers dated
 Court Papers dated
 Court Papers dated
 - Judgment and Order of Attorney Fees
 on cost Dated (3 pages)
 Total of pages submitted on my
 Complaint 236 pages

Sate Of Arizona Commission of Judicial Conduct
 1501 W. Washington Street, Suite 229
 Phoenix, Arizona 85007

Subject: Formal complaint against [redacted] of the [redacted] [redacted] regards to case [redacted] for [redacted] discrimination. [redacted] has discriminated against because I have an invisible disability. He has continuously refused to consider my medical conditions parts of them are listed on line #7 and the motions attached to my complaint have a list of all my medical problems with medical paperwork to support and has constantly sided with the respondent side even though they have not brought any real evidence relevant to the case. [redacted] has ordered me to pay [redacted] \$15,515.48 of lawyer fees. Lawyer that [redacted] hired to avoid paying his arrears balance. Because according to be commissioner I am not disable and I can work and made more money than what I already earn.

Why do I believe [redacted] decision was arbitrary, bias and discriminatory?

On [redacted] 7/20/17 minute entries second page last paragraph said that I "did not provided documentation to prove my disability", documents to prove my disability, however medical paperwork for this hearing was not requested *this fist hearing this was a child support case. My Income information was requested and I brought proof of my monthly at that time \$3,095 thru the [redacted]* A new hearing was scheduled on [redacted]; at that hearing I brought a letter from the [redacted] that stating that I was permanent and total disabled since [redacted] and paperwork from my doctor from the [redacted] affirming that my conditions are permanent and total, furthermore that I am unable to engage in any substantial and gainful activity and [redacted] still ruled that I have to pay [redacted] lawyers fees. When I got my Letter from the Social Security on [redacted] saying that my medical conditions have not improve and I am still disabled the [redacted] still ruled that I was able to work and that I had to pay [redacted]; lawyers fees. The question is, if the [redacted]; statements that says I am permanent and total disable is not worthy of [redacted]; credibility, if my Doctor [redacted] is not worthy of [redacted];

credibility, if the Social Security Department letter that just made a medical evaluation on me is not worthy of [redacted] credibility, then whose opinion is? I have sent copies of my list of appointments for [redacted] last year I had over 80 appointments and this still is not enough proof. I need to know what medical opinion is worthy for his court because I cannot afford my [redacted]; lawyers fees when he chose to have a lawyer and take me to court to erase or reduce his debt. Since the respondent's lawyer has not brought to court any prove that I can work I would like to know in what the [redacted] is basing his statement that I can go back to work besides his naked eye assumptions.

Details of my Complaint:

1. On [redacted] the respondent in case [redacted] submitted a form to reduce or modify child support payments. Since [redacted] began to be irregular on his payments even though he has not been unemployed and he accrue an arrears balance of \$14,683.71 according to DES.
2. [redacted] represented [redacted] during our hearing dated [redacted]. I did not have legal representation, as I was unable to afford it since the lack of child support from [redacted] depleted my saving. I didn't take him to court because I thought he was going thru some type of hardship.
3. During the hearing on [redacted], and I presented proof of my income from the [redacted] of \$3,095. [redacted] requested an extra \$1,000 be added to my income. I informed [redacted] that my income has been supporting my daughters and that it should suffice. I explained I am a [redacted] and that this was a child support hearing and that the issue was [redacted] arrears of \$14,683.71. [redacted] ordered another hearing for me to prove my disability. There was no mention of [redacted] obligations to his daughters. Furthermore, [redacted] insisted that I pay [redacted] fees the [redacted] agreed to consider that request. I brought to the court attention that [redacted] and I were married for almost 10 years and that he was more than aware of my situation that I didn't understand why in a child support case where I was disable or not was important and I have to earn more money.
4. On [redacted] we returned to court, at this time I had legal representation with my family's assistance I hired [redacted] from the [redacted] was present and was represented by [redacted] accompanied me.

5. [redacted] was given the letter from the [redacted]; that stated that [redacted] was permanently and totally disabled since [redacted]. A letter from my [redacted] from the [redacted] dated [redacted], which also states my conditions are permanent and total. Despite all the evidence and that [redacted]; was given a release to my medical records, and did not present any evidence to discredit my disability; [redacted] ruled on [redacted]; favor. He added \$1,000 to my income that I was not earning bringing my income to \$4,095 and reducing [redacted]; child support payments. During this child support proceedings my daughters' best interests were ignored and [redacted] was never questioned or urged to pay his arrears balance.
6. On [redacted] I fired my lawyer [redacted] due to negligence via email and filed a formal complaint against her on ACCAP. Even though during this proceeding I was going thru a health scare my doctors thought [redacted]. Paperwork to substantiate this on my motion dated [redacted] and it is attached to the complaint. My Lawyer's best defense was that if I go back to work I make less money and she was more than 20 minutes late. ACCAP contact person, [redacted]. **See attached motion dated September 16th, 2015 (103 pages long).**
7. After firing my lawyer [redacted] I filed a motion on [redacted] attaching a copy of the complaint against [redacted] and medical paperwork supporting all my medical conditions and requested he reconsidered as I was miss represented. I also added a letter explaining my situation and a list of all my medical conditions with medical paperwork to support it. My medical conditions are [redacted].
8. On [redacted] I submitted a motion to have my lawyer removed, with a copy of the email where I fired her on [redacted] and a request to the commissioner to reconsider my appeal. [redacted] still ruled on [redacted]; favor without considering all the evidence I provided to the court for the third time. **See motion attached dated [redacted] (4 pages long)**

**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.**