

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-135

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge failed to notify her of the scope of matters that would be considered at a hearing and did not give her an opportunity to be heard in a dependency 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(a).

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

Dated: August 15, 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 August 15, 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

2016-135

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.

WE BELIEVED TO BE A REVIEW OF MY CASE
WITH AND HAVE SINCE LEARNED, OR ACCORDING TO THE ATTORNEY
GENERALS OFFICE HAVE BEEN MADE AWARE THAT THAT COURT DATE WAS
AN EVIDENTIARY HEARING! NO NOTICE OF THIS WAS MADE TO OUR LAWYER,
, OR MY LAWYER,
THE FACT THAT MY HAD NOT BEEN CONTACTED BY
UNTIL AFTER OUR CASE WAS MOVED TO A NEW OFFICE IN:
NEVER CAME UP... AT THE END OF WHAT I BELIEVED TO BE A REVIEW JUDGE
ASKED IF ANYONE WOULD LIKE TO ADD ANYTHING, I WAS ATTENDED BY AN
ASSOCIATE OF BY THE NAME OF
I ASKED IF THAT MEANT I COULD SPEAK AND HE SAID HE BELIEVED SO -
I RAISED MY HAND AND STOOD UP TO ADDRESS JUDGE ... HE INTERRUPTED
ME AS THOUGH I HADN'T SPOKEN AND AGAIN ASKED IF ANYONE HAD
ANYTHING ELSE TO ADD. I WAS CONFUSED & STILL STANDING WHEN I
RAISED MY HAND AND ADDRESSED JUDGE A SECOND TIME, TO MY
EMBARRASSMENT HE, JUDGE BEGAN YELLING AT MY "ATTORNEY" AND
THREATENED HIM WITH CONTEMPT OF COURT. HE SAID HE HAD NO INTENTIONS
OF REHASHING THE PROCEEDINGS AND ENDED OUR HEARING.
AFTER THAT HEARING JUDGE PUT AN INTO ACTION. AGAIN W/O NOTIFICATION.
I HAVE BEEN TOLD THAT THE LAW IS "INTERPERATIVE", HOWEVER, I
DON'T UNDERSTAND HOW A JUDGE HOLDS AN EVIDENTIARY HEARING AND
DOESN'T ALLOW THE TO MAKE HER CASE, OR NOTIFY HER LAWYER
BEFOREHAND THAT THAT IS WHAT THIS COURT DATE WAS. THE AG'S OFFICE
STATES THAT SHE, DID NOT OBJECT TO THE PROBABLY

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BECAUSE SHE (WE) HAD NO KNOWLEDGE OF THE FACT THAT THIS WAS OUR
EVIDENTIARY HEARING AND OUR CHANCE TO CLARIFY MANY NON-TRUTHS
BEING TREATED AS TRUTH BY _____ AND THE AG'S OFFICE. HAD WIE RECEIVED
NOTIFICATION OF SUCH WIE WOULD HAVE MADE OUR CASE. EVEN IN NOT
REALIZING WHAT WAS HAPPENING & ATTEMPTING TO SPEAK TO SOME OF
WHAT HAD BEEN SAID - I WAS NOT ALLOWED TO SPEAK. I DO NOT
UNDERSTAND HOW THIS IS JUSTICE WHEN THE JUDGE OBVIOUSLY KNEW HE
WAS HAVING AN EVIDENTIARY HEARING. HOW DOES ONE DO SO AND ONLY ALLOW
OUR OPPOSITION TO MAKE THEIR CASE. I DON'T UNDERSTAND HOW THIS IS
POSSIBLE, OR HOW IT IS THAT I HAVE OVERHEARD LAWYERS SAYING THAT JUDGE
_____ ALL OVER THE PLACE WITH HIS HEARINGS AND YET IT SEEMS NO ONE
IS WILLING TO FILE A FORMAL COMPLAINT. SO HERE IS MY COMPLAINT
AGAINST HIM FOR FAILING TO LET US BE HEARD REGARDING A
OLD WHOSE _____ ABANDONED HIM, A _____ THAT WAS ON
FOR _____ & HER _____ WHO NEVER DEALT WITH US. SO
HOW _____ WAS SUPPOSED TO FINISH SERVICES WHEN _____ HAS TO
SCHEDULE EVERYTHING IS BEYOND REASONABLE REASONABLE. THIS WAS (15)
A TRAVISTY OF "JUSTICE".

WE HAD A RIGHT TO BE NOTIFIED AND HEARD.