

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-170

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court commissioner made improper rulings in a dependency case.

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(a).

Commission member Peter J. Eckerstrom did not participate in the consideration of this matter.

Dated: July 27, 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 commissioner on July 27, 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.

I am a \_\_\_\_\_ for the state of \_\_\_\_\_ and have \_\_\_\_\_ children in my care for the past \_\_\_\_\_.

During the entire course of the children's time in my care, there has not been any person/agency that has recommended these children be returned to either parent. The Attorney General, DCS Case Manager, Guardian ad Litim, Terros parent aides, DCS case aides, Foster Care Review Board and myself have all spoke in unison that these children should not be returned to the parents (though they are only being returned to the \_\_\_\_\_ )

My first complaint is that these children have been in my care far beyond the state law for them to have been severed. What's the point of having this, if judges can simply ignore it? The judge completely dismissed the recommendations of many professionals that have spoken in unison for \_\_\_\_\_ that these children should not be returned.

DCS has attempted to do the right thing and keep these children from going back to an unsafe environment. How this judge is not able to clearly see the danger he is placing these children in is beyond my understanding.

I have included the Evidentiary Hearing for \_\_\_\_\_ as an attached file.

Thank you for your time.