

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-183

Judge:

Complainant:

ORDER

The complainant alleged that seven superior court judges and three superior court commissioners issued improper legal rulings, failed to follow the law, and failed to administer justice.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judicial officers 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 judicial officers, rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officers did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, as to all ten judicial officers, pursuant to Rules 16(a) and 23(a).

Commission member Anna Mary Glaab did not participate in the consideration of this matter.

Dated: August 24, 2016

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the ten judicial officers on August 24, 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

2016-183

COMPLAINT AGAINST A JUDGE

Name:

Judge's Name: See the document.

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.

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2016-183

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**COMPLAINT OF MISCONDUCT
BRIEF STATEMENT OF FACTS**

And

This is a Brief Statement of cases and legal matters which are comprised of several Arizona Code of Judicial Misconduct and Disability violations, specifically Rule (s): 1.1, 2.2, 2.3, 2.5, 2.6, 2.7 and 2.9 of the Arizona Code of Judicial Misconduct pursuant Rule 81 of Federal Court Procedures.:

Case (s):

Judge of the held
a hearing on regarding the termination of guardianship of
minor, in the of Arizona. It
is understood that in all cases involving custody and guardianships of minor
children in that juvenile cases decisions are upheld over
family law cases. Pursuant Arizona Revised Statutes Rule (s) 8, Child Safety, the
removal a child from the home or care of a guardian and/or parent must be decided
according to law.

On , the Petitioner, and natural mother of the
minor child. petitioned a warrant for the arrest of the Defendants.
and , Temporary Guardians of the minor child,
. The Defendants, and had petitioned
permanent guardianship of the minor child, on .
The petition was terminated by
However, the Defendants, and had not returned full
custody of the minor child, to the natural mother.

A hearing for permanent guardianship was scheduled on and

Case _____ proceedings continued without the presence of all parties. The Defendant, _____ and natural mother of the minor child, _____ did not attend because the petition was terminated by _____ on _____. Full custody was not returned to the natural mother, _____ by the Temporary Guardians, _____ and _____. The minor child has been living under the care of the now Permanent Guardians illegally for _____ years without the permission of the parent, _____ granted full custody of the minor child, _____ to the Petitioners, _____ and _____ on _____, without just cause. Again, all cases involving the custody of minor children in the state of Arizona must be decided according the Arizona Revised Statutes Rule 8 of Child Safety and are not mandated by law to decide child custody cases by default.

A _____ Hearing was set and heard on _____ in _____ of _____ of Arizona. The case and decision remains the same regarding the termination of guardianship of the minor child, _____. However, _____ denied the request for the civil arrest warrant of _____ and _____. The Petitioner, _____ was advised to seek resolution through the _____ of Arizona.

_____ did not properly decide the results of Juvenile Case _____ according to the Judicial Rules of Misconduct Rule(s) 1.1, 2.5 and 2.7 during the proceeding of _____. The _____ of _____ of Arizona did not protect the rights of the juvenile child, _____ nor did the courts appoint any personnel of Child Safety to protect the rights of the minor child, _____.

Family Law Case _____ of _____ Family Law Courts denied a _____ as petitioned by the Petitioner, _____ due to the termination of guardianship on _____ by _____. _____ denied the motion for the reasons a) it does not comply with the Rules of Family Law Procedure, in part because there is no proof of service upon the Petitioner, b) there is no active case to dismiss under the listed cause number and c) the pleading is written on an improper form entitled "_____."

On _____ the Petitioner, _____ had filed a _____ Pursuant Rule 6(d). _____ has yet to reply or decide

with the courts or the petitioner and respondents regarding the legal filing of the _____ as _____ as prescribed by law. Under the Arizona Code of Judicial Misconduct, _____ is not administering justice within the rules of the Arizona Code of Judicial Conduct according to Rule(s) 1.1, 2.3, 2.5, 2.6, 2.7 and 2.9. _____ failed to comply with the rules of the Arizona Revised Statutes regarding Family Law Case _____ had neglect her responsibilities as a judge, failing to administer judicial law according the Arizona Revised Statutes.

The following Judge(s) were all parties to Family Law Case _____ and _____ . On _____ , _____ and _____ had filed a minute entry regarding the _____ regarding Custody pursuant to Petitioners,' _____ and _____ . All parties were not present. _____ and _____ ordered all parties to attend a _____ and file their certificate. No formal charges of neglect or abuse had been presented according Arizona Revised Statutes, Child Safety Rule 8. The child _____ was taken from the child's grandmother and mother's custody without iust cause or permission according the laws of _____ and _____ and _____ both violated the Arizona Code of Judicial Misconduct, Rule(s) 1.1, 2.5, and 2.6.

Civil Complaint # _____ of the _____ of Arizona denied a _____ filed on _____ for no just cause. _____ violated Arizona Judicial Misconduct Rule(s) 1:1, 2.2 and 2.5. _____ had no basis to deny the _____ based on Rule 55 of Arizona Civil Procedures. All parties had been served according to law by the _____ Sherriff's Department pursuant A.R.S. 4.1 of the Arizona Revised Statutes.

Civil Complaint # _____ and _____ of the _____ Arizona were presiding judges for Civil Complaint # _____ filed on _____ . The Petitioner, _____ filed Civil Complaint # _____ for the _____ of Negligence against Defendants, _____ and _____ and the _____

**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.**