

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-186

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court commissioner made improper rulings in a severance proceeding.

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

Dated: August 24, 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 August 24, 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.

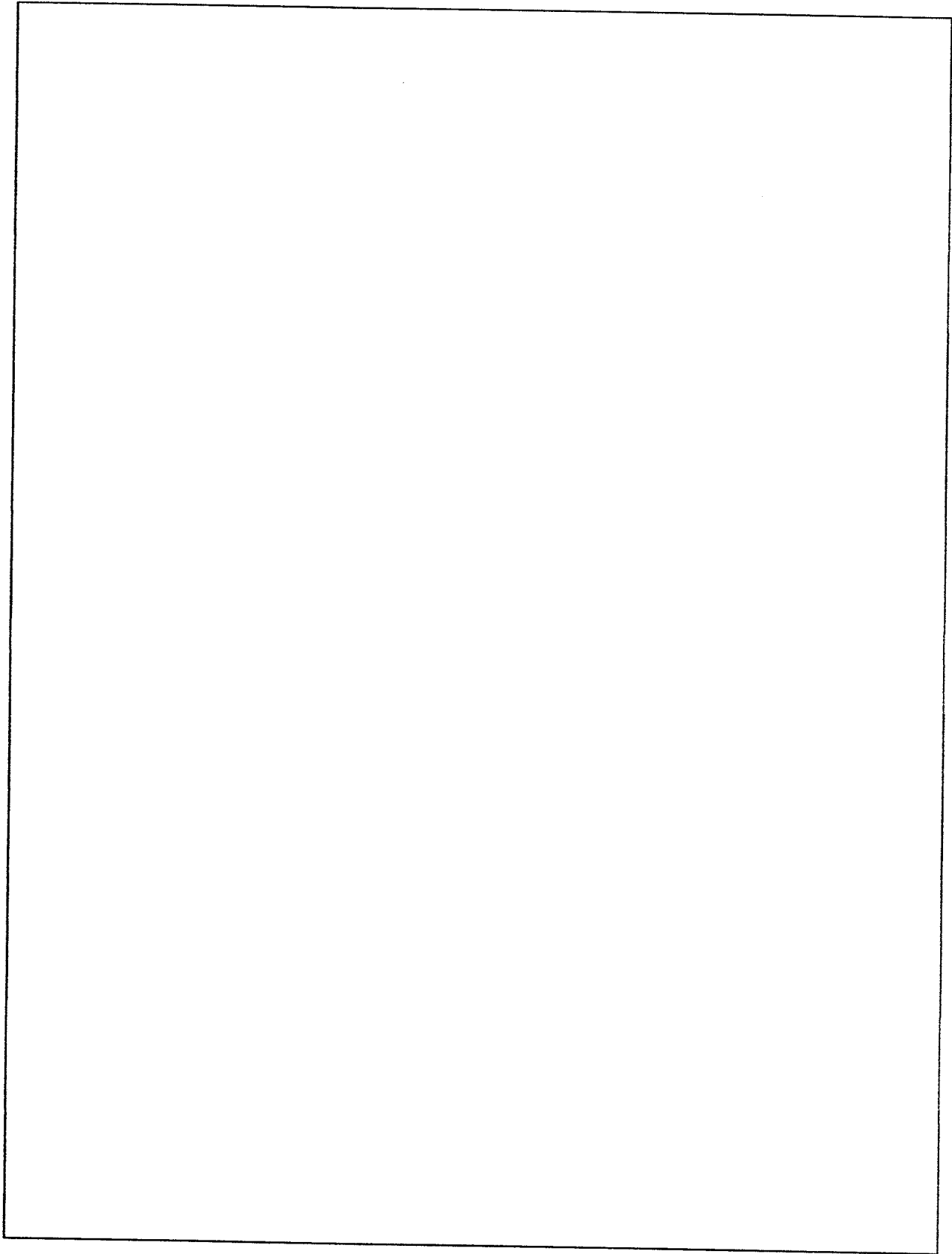
I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

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.



case number:

**2016-186**

Case number:

To Whom It May Concern,

I write this letter not only as a concerned parent, but as a concerned citizen. Last year I went through the trial process to sever the parental rights of my son's biological father, and with the hopes of my husband being able to adopt my son.

Throughout the duration of being in and out of court, at no time was there a discussion of any other issue, aside from severing the rights of the biological father, and my husband adopting my son and assuming full responsibility of him. After many months of litigation, the ruling came back that the rights were not going to be severed, but the true concern was the additional content of the ruling.

The judge knowingly ruled that my son is to see

. Furthermore, it was also ordered that to visit the biological father ; even though during the trial, the same judge did not allow my son to speak in the court room, because he was too young and she did not feel that he should see his biological father

When I filed the petition to sever the biological father's rights, I knew that the rights may or may not be severed. I did not know that the judge would be able to order for my son to or forced

After speaking with my attorney, we decided to file a motion for new-trial/reconsideration, since we went into the trial prepared for a parental severance, not arranged visitations. When the motion for re-trial/reconsideration was submitted, it was restated that and that both my son's attorney and the testimony of the social study strongly supported the severance. Furthermore, IF the severance was not granted, experts advised and highly recommended that some counseling occur prior to any visitations.

, who specializes in and is a certified professional in the state of Arizona. Her credentials and profession were not taken into consideration during this trial. The motion was submitted and denied.

It's now been over since the ruling. There have been several concerns and we are now going to family counseling to help my son deal with the situation. My son begs not to have to go . Although he has been , the second visit is fast approaching. I fear that this is creating a very negative emotional impact on my son.

There is not anyone, personal or professional ( ), that agrees with the court's ruling. Our family counselor, , highly advised us to write this letter and ask for our trial to be re-considered.

case number:

My son is being forced by the courts to be \_\_\_\_\_ on a regular basis, completely unsupervised, and he is being forced to go \_\_\_\_\_. I have not ever heard of such a thing. I can't begin to express the fears, worries, and concerns I have developed \_\_\_\_\_ not only for my son, but for the judicial system and other cases similar to mine. I beg and plead, and I am at the mercy of the court to reconsider its decision. I write this letter in the hopes and prayers that I may get some relieve and peace of mind, for the court to reconsider, by omitting the visitation with \_\_\_\_\_ who \_\_\_\_\_ and the visitations \_\_\_\_\_. I ask that the court considers the visitation with \_\_\_\_\_, \_\_\_\_\_ and counseling has been established. Thank you for taking the time to read this letter, and I pray that my case be reconsidered.

Sincerely,