

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-244

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner disregarded her spouse's disability in setting child support.

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).

Dated: October 12, 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 October 12, 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.

On _____ there was a hearing to modify child support and parenting time for my children. I explained my present circumstances to the Court, in which I am married to a disabled veteran and am unable to work as I have to care for him. On the record I provided medical documentation as proof that my husband has _____ service related disabilities.

_____ stated that I was over exaggerating my husband's disabilities and _____ agreed because she saw him one time in court, which I would like to add was in my care.

- 1) it is discouraging to hear that this is how people view our disabled men and women who fought for our country. Would you tell an amputee that he is over exaggerating his disability because now he has a prosthetic limb?
- 2) I am sure the VA does not believe my husband is over exaggerating his disabilities as they have him rated at _____ and he only gets compensated for _____
- 3) I came to court with a fair plan where the child support income is based upon what the Petitioner and I actually earned in _____. The Petitioner earned over \$ _____ and I earned \$ _____ last year. This would make my child support payments roughly \$ _____ a month.
- 4) The Petitioner submitted an email stating he was no longer going to travel for his work and so his calculation is based on his present salary of \$ _____
- 5) I submitted medical documentation stating that I am no longer able to work because my husband is a housebound disabled veteran, and _____ ordered my potential income to be used \$ _____. This puts me into a financial hardship of paying \$ _____ when I am unable to work.
- 6) I also asked for a plan in the vent _____ has to travel for over a week for his job and I was denied. Since moving to Arizona in _____ travelled for _____ weeks in _____ and for _____ months in _____. All I requested was for the priority to go to Arizona and care for our children while he is traveling, like was done before I my recent move to _____
- 7) I ask for fair income calculations of \$ _____ and \$ _____ or \$ _____ and \$ _____; in addition to, the priority to care for our children in the event _____ has to travel for more than a week.