

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-251

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner did not afford her an opportunity to be heard and engaged in improper demeanor in a guardianship matter.

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.

After review, 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 19, 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 19, 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 oath, that the foregoing information and the facts I have provided are true and correct. I swear under penalty of perjury, that the foregoing information and the facts I have provided 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.

_____ opened the Guardianship hearing on _____ with a very undignified tone threatening me with court sanctions for no valid reason. She refused to hear what I had to say and did not give me the opportunity to say anything. She treated the attorney's for the Respondent with very nice tone and courteous but she treated me very rude and differently and this appeared to be a biased conduct. RULE 2.6. Ensuring the Right To Be Heard. (A) A judge shall accord every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to the law.

I felt that she did not treat me with respect or in a dignified manner because she was very curt and not willing to hear out what I had to say and threatening me with court sanctions was harrasment without justified reason. Rule 2.3 Harrasment (A) A judge shall perform the duties of a judicial office, including administrative duties, without bias or prejudice.