

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-328

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against him and engaged in improper demeanor in a family law proceeding. The complainant also alleged a second superior court judge made an improper ruling in a contempt proceeding. Finally, the complainant alleged a third superior court judge improperly denied his request for new counsel in the contempt proceeding.

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, pursuant to Rules 16(a) and 23(a).

Commission member Margaret H. Downie did not participate in the consideration of this matter.

Dated: January 11, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

A copy of this order was emailed to the complainant and mailed to the judicial officers on January 11, 2017.

This order may not be used as a basis for disqualification of a judge.

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Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2016-328

COMPLAINT AGAINST A JUDGE

Name: _____ **Judge's Name:** _____

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.

I had a criminal in-direct contempt of court hearing with _____ which is no longer the _____ for family court. My attorney was issued to me and he has no knowledge of Family Court law. I was handed my outcome and I was running out of time so I tried to contact my attorney and explain my situation to him and I kept getting no response. I put in a motion to the new presiding judge for removal of counsel and I explained the reasoning in a legal and formatted petition through e-file and I submitted it. _____ days went by and I had no response at all, so I decided to call the judges chambers and see what the status was on the request and nothing had been decided. I spoke with the judges assistant (_____) I was told by him that he would print out all paperwork for the judge to look at and then call me back. I got my call back and I was denied my request. I even noted to go back and listen to audio from the hearing and my attorney says it on his own "I have no knowledge of Family Law Practice".

I feel that the iudges decision is being based not off a ethical or legal stand point but do to the personal feelings that _____ has against me and his dislike and disrespect he displays in the courtroom for me when I am present. I put in my petition that the attorney _____ has no family court knowledge, no motivation or desire to assist me in the timely matter that i needed him to do. I explained all of the details and reasoning why i needed a new attorney, I am homeless, no job, and no way to pay for the classes that the court ordered me to pay for and attend and I needed a little more time to get back on my feet because i can not go to jail and I feel that me doing these classes would benefit me as a father and as a person. I feel that all that has happened between the other judge and the conversations that they have had is impacting the moral and ethical decision making as a judge and it is unjust. I think it is attempt to see another black man behind bars, like she has something to prove and I feel that this whole case is based on race not justice.

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On the _____ I had my first hearing before _____ and I have had my rights and been disrespected by this judge. I was in the court room and if you go back and look at the audio and or court transcripts you will see that I was treated like a common piece of dirt and that the mother of my child was treated like a up standing person in the courts eyes. My right as a father were thrown out the door with no reservations and thats when it all started. If you continue to go through all of the court minutes and documents you will notice the difference of treatment between myself and the other party. I have to admit, that I have disrespected th e judge, in a "criminal in-direct contempt of court which I feel was unjust from the get go because the email was a personal to the other party.

I can continue on, but I would really like you to focus on the last court hearing that I had in courtroom, I filed a clear petition to enforce parenting time because the other party had violated the court order and he tried to finish the court hearing until i spoke up and pointed out that I was not going to allow this to be skipped over and treated like nothing. He has allowed the other party to file and do anything she wants, deny every petition that i file and accept the other parties. The judge decided to talk to me and treat me like I was trash and brought 2 deputies into the courtroom to make me fearful as well as treat me and degrade me as a man. I believe the _____ is no longer treating this in the name of justice and honesty, I believe that he has taken a personal approach to me and is no longer standing up as a judge to uphold the integrity of the courtroom and justice system but has taken a personal hatred towards me and it is unjust. I ask the commission to please review and look at all video and hear all audio and look at the hearings and also interview all staff and you will see that i am not receiving the honesty, justice or respect that the judge took a oath to uphold and to have when he took the bench.

Thank you

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