

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 17-109

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge was biased against her and made improper rulings in a family law case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge 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 judge did not violate the Code in this case. The commission approved sending the judge an advisory letter reminding him of his obligation under Rule 2.8(A) to ensure order and decorum in his court. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission member Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: September 21, 2017

FOR THE COMMISSION

/s/ Peter J. Eckerstrom  
Hon. Peter J. Eckerstrom  
Commission Vice-chair

Copies of this order were distributed to all appropriate persons on September 21, 2017.

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

in Court has been the judge in my case since Case  
 In I tried obtaining emergency temporary orders Judge  
 denied them. I tried to obtain an order of protection from Judge . It was  
 denied. I was issued a protection order on by Judge in court  
 I filed for a change of judge for cause against Judge I had a hearing  
 for change of judge for cause on in front of Judge . During that hearing I  
 explained that Judge allowed the defendant in my case to continually be late, speak out of  
 turn, ramble on about irrelevant issues, call me out of name on the stand and always dismiss my  
 cases stating I lack evidence. after the hearing on started, the  
 defendant in my case walked into the court room. He was allowed to speak for approximately  
 or so and only was about Judge . Whom he had no objections to  
 having removed. During that hearing the defendant in my case was allowed to do all of the things  
 allows him to do. My case was denied one of the reasons given was there were no  
 pending actions in front of . On my order for protection was contested. On  
 at we had a hearing for the order in front of Judge . The defendant  
 was also trying to get an order of protection against and . We were in court until  
 approximately when we went to recess. At my last witness returned to the stand to  
 testify. The defendant in my case never made an appearance until we had been excused and I  
 was exiting the court room. The case was continued until at  
 The judge dismissed the protection orders against , and .  
 The defendant in my case made his appearance at and was allowed to  
 take the stand in the matter of his contesting my protection order against him. While on the stand  
 the defendant in my case was allowed to call me out of name , cuss often, and I relayed to the  
 judge how I felt the defendant was continuing to abuse me and I felt the judge was allowing him  
 do so. When , was on the stand the defendant told her, that he had told  
 her not to loan me any money for court because Judge would never rule in my favor. At  
 one point the defendant asked me without any  
 repercussion. Admitted to having in a dog cage. After clearing testifying he did not. When  
 I was explaining to the court about a call that had been made to as  
 retaliation for going to the defendants home, the defendant stated that I use that address  
 on file. Clearly stating he was the one that made the call. I provided more than enough evidence  
 as to why I need the protection order against the defendant . I have also enclosed the evidence  
 along with this letter as well as copies of the actual court proceedings and in addition a letter that  
 has been entered into my but was denied as evidence by Judge  
 The letter dated , which was written by the  
 defendant in my case, but mailed to and was ordered entered into the  
 by Judge Not only do I feel that the defendants actions on the stand were  
 enough for a protection order but the evidence that I provided was more than enough for an order  
 of protection. The defendant stated the comment to would never rule in my  
 favor and as you can see by the Judge just laughed about the statement. I fully  
 understand that this commission cannot overturn his decision however Judge has not once  
 ruled in my favor since the letter written by my to the .  
 An innocent is in the decisions of Judge and based on  
 testimony and evidence given in the case should have been enough for him to make the right  
 decision, not to mention the fact that the protection order should have, in my opinion, been  
 granted after the first no show from the defendant. Judge is not a fair or just judge and  
 chooses parenting time over actual safety of the child, he has in the past denied putting  
 on an order because it would interfere with parenting time and his decision to deny my protection  
 order may cause damage to and that may never be able to be undone from our  
 lives. I would have no issue with the defendant if he was actually a good father. I strongly feel if  
 Judge is allowed to base his rulings on bias rather than actual facts lives are in jeopardy. I  
 feel the defendants actions in court were enough alone to grant my order, not to mention, the  
 defendant did not even show up after recess the and was late for . I  
 am not even sure the judge looked at any of my evidence. I actually knew Judge was going  
 to dismiss my case before he did as he told the defendant we would discuss parenting time in a  
 while. The defendant in my case, has only this , brought any evidence and this was a  
 and was allowed into evidence. I have not fabricated any lies or evidence ever. I  
 have repeatedly in the past asked Judge to order random drug testing and parenting

classes for the defendant. Judge [redacted] answer is always poor parenting from the defendant at what point does the abuse and poor parenting end. Judge [redacted] allows the defendant in my case to be [redacted], as he stated in his own words, [redacted]. The judge allows him to slander people when there is proof otherwise and allows him to make a mockery of the judicial system. I do not feel as Judge [redacted] is upholding the law or going into any hearing that concerns myself with an open mind. As you can see by most of his rulings in my case that he always denies my requests and orders no matter how much actual evidence I provide to the court. The defendant is always allowed to curse, call names, slander, add commentary and ramble about whatever he wishes and if I get off track at any point in time Judge [redacted] quickly sets me straight. Please consider my request for this complaint as there is an [redacted] at stake. Many things broken can never be repaired and by testimony given by the defendant and the way Judge [redacted] handled it is clear that he is being biased in my case. Enclosed with this letter is the evidence submitted as well as the actual CD from the hearing.

