

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-144

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge 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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge 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 Peter J. Eckerstrom did not participate in the consideration of this matter.

Dated: July 19, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on July 19, 2017.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2017-144

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.

Judge _____ has made grave mistakes in the _____ case. These mistakes are directly affecting the welfare of my _____. Throughout the history of this case, each judge that heard pleadings beginning with my emergency petition _____ had ruled for me to _____ due to the disturbing evidence of domestic violence and abuse that _____ at the hands of _____. Yet, Judge _____ all prior orders of _____ and _____ and instead gave _____.

Beyond that, she issued a ruling that essentially refuted my claims as false allegations and nothing more, despite _____ of police reports and convictions of _____. The moment that _____ obtained _____ from Judge _____ he has used this " _____ " as a new tool to continue his destruction against _____. I have reached out to Judge _____ and the court as a whole begging for help to end this nightmare that _____ now live. On _____ Judge _____ denied, without cause or scheduling a hearing, my emergency petition to _____ and _____ to be conducted at a _____ as it was prior. My reasons for this petition are detailed, but in brief, _____ is, by all appearances, homeless, which I substantiated to Judge _____ by providing detailed reports by a process server who has attempted to serve him. Given the history of _____ specifically, it severely concerns me that he has _____ with _____ given that he has no apparent valid residence. Additionally, he is nearing trial for a violation in which the plea offer is _____. His recent behavior, as reported by my third-party who does _____ and who has no relation or bias towards me, is disturbing to say the least. I explained to Judge _____ that my third-party has expressed concerns that _____ appears that _____ and that _____ any acknowledgment, even as much as a hello, during the _____. She also reported that _____ seems _____ as if _____ even care for _____ in ways that a _____ requires. Finally, I reported to Judge _____ that on _____ almost _____ after her final ruling _____ attempted to take _____ from her _____ on a _____. The _____ reported that he was so hostile and demanding that they had to call the police to have him removed from the property. Yet, all of these things were still not enough for Judge _____ to see that her final ruling was done in grave error. Instead her explained to me that I had to follow the court order for at least _____ and that I have to work together with _____. It is beyond me how that can be accomplished in a _____ and _____ It is something that I have attempted to do even still, because I respect the benefits of a co-parenting relationship and it would benefit _____ if that could be accomplished, but even with my best efforts, _____ has never displayed any willingness or ability to exercise a relationship that Judge _____ has forced upon us with such a drastically different ruling. While I can appreciate her efforts in pushing _____ this case is not one that can be approached with this method. _____ is in danger each time _____ and the only solution Judge _____ offers is to " _____ ". These were her exact words in court during the final hearing on _____. She also stated that " _____ "

These statements are appalling to me on many levels, but as a _____ I cannot believe that someone who is supposedly of dignity and who is held at the highest levels of the law to make life-changing decisions could make such statements as that regarding my _____. Furthermore, Judge _____ issued her ruling without one of the most crucial pieces of evidence: a _____ that _____

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was ordered previously by Judge _____ . Had she waited for this piece of evidence to be included, I am confident that her ruling would have been different. This is a huge issue of judicial misconduct that is also fully supported by listening to the recordings of Judge _____ egregious statements during our hearings.

While I understand that this complaint will not result in a reversal of Judge _____ decision or an appointment of a new judge, I am begging the Commission to reconsider this, as _____ s being put into danger as a direct result of Judge _____ ruling and continued rulings in this case. Thank you for your time.