

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-183

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against her and made several legal and factual errors in his rulings.

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).

Dated: August 30, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on August 30, 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

2017-183

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.

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I was assigned Judge [redacted], in [redacted]. Since I have had him as a judge I have had to jump through hoops because he has favored the petitioner since [redacted]. To give a little background, the petitioner [redacted], was very abusive once I became pregnant, I had to kick him out of my home, and cut ties with him and obtain an order of protection due to the abuse and criminal damages to my property. I ended up in a [redacted] during my pregnancy with my [redacted] where I stayed for [redacted]. After [redacted] of being harassed on a daily basis by [redacted], I tried to control the contact by responding. When the [redacted] were about [redacted] made a sexual comment of " [redacted] and [redacted] As an obvious result, I cut ties again. He went back to harassing me saying he was going to kill himself and its going to be my fault. He cyber stalked me online and found my address and phone number [redacted]. He finally got charged with count of [redacted] and violation a court order. Immediately after he sought visitation with [redacted] I warned Judge [redacted] that he had been doing this not for visitation, but to get back at me for not getting back together with him. A paternity test was ordered and I completed it right away while [redacted] kept coming to court without it being done, so I'd have to keep missing work. I finally objected to him allowing another continuance and he told the petitioner that he needed to have it done by the next court date in [redacted] again he was not prepared and stated that he had just done it [redacted].

The judge went back on his word and allowed him to postpone court again. When the next court date came he did not have the records of the paternity testing and court was postponed in his favor, again. This came to [redacted] of court at this point. Each time I had to miss work for. The Judge assigned a best interest attorney that [redacted] and she seemed to understand the weight of what was happening. She ordered a home visit [redacted] through her private investigator. I was the only one who completed it and he was given a free pass because he was homeless. The PI did the inspection while I was at work and I never met her in person. She immediately [redacted] and said my home was a mess and I am doing meth. She called again [redacted] to file the same report. A case was made and I was forced to urinate in front of a stranger as a result of it and the test, of course, [redacted]. When I brought up the false reports in court the best interest attorney stood by her PI and said she would have done the same thing base on what she " [redacted]. As I previously mentioned this [redacted]. The [redacted] we had to postpone again. We came back in [redacted] and [redacted] new attorney postponed court again [redacted] the judge made his decision. The order stated [redacted]

and [redacted] and they weren't born until [redacted]. It states multiple times that [redacted] but I have [redacted]. The order acknowledges that there was [redacted] and he violated my order of protection, but that because it was [redacted] it is irrelevant and now I am just using my OOP as a stab against [redacted]. It acknowledges that he violated the order of protection and [redacted] he was contacting me but the emails I received from him were denied for evidence because " [redacted] " regardless of him admitting he emailed me. These messages were talking about him [redacted] admitting and that I need to [redacted]. He [redacted] and included a [redacted] I am in the [redacted] and I stated this in court, after Judge [redacted] and the other party's lawyer drilled me for my personal information. I had to stick to my guns because I legally did not have to disclose this information. The order stated that it [redacted]

was unfair to ask him to pay past child support due to him not seeing court for [redacted] They were [redacted] when he filed and they were [redacted] but [redacted] postponed when he finally got everything together after postponing for so long. The judge ordered only

[redacted] reported making [redacted] more due to him incurring than I did. The judge ordered that [redacted] was in the [redacted] and I had not received financial support from [redacted]. The judge ordered a [redacted] with [redacted]. The judge [redacted] and [redacted]. In addition, Judge [redacted] contradicted himself when he ordered that I have to [redacted]

Due to the fact that the judge perceived the [redacted] as a victim regardless of physical evidence that proved otherwise, my situation has gotten worse. I have missed so much work due to the amount of court that was rescheduled which means I missed pay from work that I am not getting back. I have been the sole provider for [redacted] and I still am. He has not paid a penny of child support. I have to consult [redacted] on parenting decisions when he has chosen to absent from their life altogether. After the [redacted] reported to me that she was [redacted] and I had to obtain my own lawyer and I incurred my own legal fees. The judge ordered the drop off away from [redacted] last known home address and I had to drive [redacted] to get to this location, repeatedly had myself and [redacted] drive all that way just to tell us he's not coming and has used this court order exactly the way that I warned the judge he would. [redacted] has chosen not to visit [redacted] since [redacted] and I have not heard from him since [redacted]. He has not complied with [redacted]. He has not updated his address and contact information with the court, he has not abided by the court order to pay child support, used neutral language with me, or attend his court ordered visits. I still owe him legal fees that I cannot afford to pay as the sole provider of [redacted] I am incurring. [redacted] on this, I am not receiving any child support, and I have to endure name calling and manipulation from [redacted]. I did not have legal representation during these [redacted] because I could not afford it, while trying my best to represent myself, the judge made an uneducated observation in his court order that I don't seem to be afraid of [redacted]. I should not have to talk to my abuser, I should not have to allow him to verbally abuse me, I should not have to [redacted] I [redacted] so he can harass me in court. I should not have to accept [redacted] of the child support, I should not have had to attend numerous court dates for [redacted] because the other party gets special privileges, I should not have to worry about [redacted] (who is

[redacted] for a week or two if/when he decides to, I should not have to share information for joint parenting decisions that could potentially give away my personal information [redacted] and I should not have to complain about a judge after I've taken all the steps necessary and provided proof of my statements. Judge [redacted] has denied my request to review all the bad information in the court order. I ask that you please review all this information and take the appropriate action against this judge so he doesn't do this to any other [redacted] in a violent situation especially when there is the potential [redacted] and [redacted]. With everything that has occurred in court I feel that this judge has taken the other party's side due to the fact that [redacted] and I am [redacted]. This, legally, should be of no consequence and [redacted] should be in a safe environment with [redacted]

