

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-329

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against women.

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: February 14, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie

Executive Director

Copies of this order were distributed to all appropriate persons on February 14, 2018.

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

2017-329

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.

*Please see attached
4 pages,*

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GAINST A JUDGE

Nan

Judge's Name:

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*Please see attached
4 pages*

Our Family Court System Failures in this state on
Grandparents Rights or Rights in themselves
NO Judge Should be or is Above the LAW

Page: 1

This is in regards to a _____ named _____. He has got to be the most biased, prejudice, bigoted & discriminatory judge against women I have ever encountered. I am a mother of _____ grandmother of _____ and great grandmother of _____. I do not drink, drug, smoke cigarettes or drink coffee or tea, and I volunteer for a _____.

The Story behind this

In _____ my daughter called me crying for help. She had been in a deep depression due to both fathers of her children not helping to support her. Her older son _____ at the time & he too was very depressed due his father's lack of acknowledgement of him & his needs to spend some one on one or any time with him to the point of my grandson at _____ having Suicidal Ideations (have proof of this). My grandson didn't want to go see him anymore, as he was told by his father that he has a new family now and can't spend the one on one with him. This hurt him immensely to the point of drawing a picture of himself hanging himself... (was shown to the judge as well). This father was only to pay _____ a month and was in arrears, didn't think he should have to pay.... nonetheless this put my daughter in a bad place. She also had a _____ who is special needs and had to have 3 different types of therapy each week.... on top of having to work to support them, it all consumed her and she fell deeper into her depression to the point of smoking Heroin. Never did needles, but nonetheless she smoked it. When she realized what she did, she called me up crying asking if she and the boys could move in with me, so she could get help. So, I went & packed them up, moved them in & put her in the hospital. But while she was in the hospital, the father & his wife went to the courts & filed an emergency custody saying she was using needles, smoking the Heroin & blowing it in the kids' faces....and without ANY evidence the judge just signed off on it. He did this to his other child's mother & his wife did the same thing to the fathers of her two children. They didn't want to pay child support and he wanted to claim them on his taxes as he hadn't been allowed to by the courts in the original orders that if he was in arrears in his support payments he couldn't claim them....it was supposed to be that they could do it every other year as long as he wasn't in arrears. Now nothing was ever sent to us, by either the courts or the father to this.... we were blindsided. My grandsons were safe living with us and my daughter was getting help.... father knew this & knew she was in the hospital getting help & as soon as he knew she was in the hospital, he ran to the courts and did this. Again, never knowing this was going on.... the father called to get _____ for the weekend & again my grandson didn't want to go, but I convinced my grandson to go saying try it again, maybe dad has changed.... something I so regret doing....as it devastated not just my daughter who was trying to get better, but mostly my grandson who text _____ (All this proof was shown to the judge-at the time it was _____ -worthless himself as he said he was retiring)- (So why do the job you were supposed to...???) Then another judge came into the picture who was, GREAT, he saw right through what was happening & was fair, but unfortunately, he too was going to be leaving to I believe _____. But he allowed us to see _____, gave them shared 5-2-2-5 custody and I was the person to supervise that till my daughter got better. She was doing great till _____ came into the picture. Everything went to HELL, especially for my grandson, but the continued badgering of my daughter got the best of her, the father went to court or called the advocate at the time and said something (to this day we don't know what), but next thing we know, the father came over with the Police & this new court order and tore my _____ away without being able to see him.... I still don't know why, again NOTHING was sent to us with the allegations & we were never given due justice to refute whatever it was. My grandson was crying, asking his dad..." _____ My daughter lost it. Then the father of her youngest went & did the same thing, because my _____ father called him up and lied to him.... so again, he was able to go the courts, make accusations and now my _____ was gone.... she gave up on herself & life.... went back out & ended up in jail for 6 months for violating her probation.... she was just a mess. I was trying to save my daughter & keep my family together.... but _____ didn't care & tore everything of what _____ are supposed to be about.

Through the last this judge has never made the father follow any court orders or hold him in contempt...yet continue to make my daughter follow everything. And what did I do to not get to see my grandson....no reason given....it was a, just because I can attitude in this Judge?! And not ONCE have we ever gotten a rebuttal from the father in this case and this judge knows this and has done nothing! Father sends in stuff and we have never had any legal recourse to respond and this judge just goes by hearsay, again this judge knew the father wasn't sending things to us (I was the intervenor). I didn't know the court systems have changed where ONE person's word is all they need. I thought judges are supposed to uphold the law and remain impartial and unbiased.... yet this judge does nothing to make sure to follow the oath HE pledged. And because of that, I haven't seen my grandson for after raising him for My grandson wants to live back with me, he misses his extended family & has asked to talk to this judge himself several times, yet this judge will not give him the time of day. My grandson has been informed of everything on this case with twisted lies from the father & paternal grandparents.... again, against court orders to not discuss the case to the minor child, (is aware of this, was given proof of this & still did nothing) who from the start became suicidal due to his father's lack of parenting for the 1st of his life. This is not coming from a bitter person who didn't get their way, this is coming from a grandmother fighting for the right to see her grandson. I have done nothing wrong, I have done more for my grandson then the father, mother & paternal grandparents have in his entire life.... why was I denied?? Next, the father must of once again wrote something to the courts or called the court appointed advocate to say I wasn't keeping my grandson safe, and once again NOTHING was sent to us, not even did call us to ask to explain the allegations by the father.... Ya know actually "Investigate" the allegations!? instead this judge signs off on it and my grandson was taken away with NO visitations. I asked to visit him at school during lunch twice a week like I used to and was denied because I had not given specifics.... so, I had to pay more money to request the visits, gave specifics with days and times and was denied again.... but with no reason this time. The father is accusing me of things with NO proof, yet this judge goes with everything he says. This is a father that got pulled over with a 3rd Aggravated DUI while driving on a suspended/revoked indefinite license for the 6th time, was indicted by a Grand Jury, yet somehow, once we told about it.... the father gets away with it...??? I'm sure Mothers Against Drunk Drivers would like to know what our courts are doing. Tell me something isn't wrong in this.... that there's no favoritism in all this? This is about the welfare of a child. My daughter messed up, I didn't, yet my grandson is the one who is hurting in all this. Children are supposed to have rights.... but I guess not in this state. You hear the saying, "that it takes a Village to raise a child" & for me that village is ALL their family! My daughter just went back to court for mediation & once again, NOTHING happened.....she had no time to defend herself, he was supposed to write in his rebuttal-yet again she never received his response. That judge told him that she had the right to her son's cell phone # & Dad had to make sure he was available to talk to her each night during a certain time, yet once again.... they refuse to give her his number.... court ordered....and claimed the first few days after court, that the phone at his (Fathers mother's house) where my grandson lives.... (NOT with his dad).... is broken, so for the first few days my daughter wasn't able to talk to her son on the phone! Then when she does call, it's either they don't answer or when she did get a chance to talk to him, she was saying good bye and then was disconnected. This judge does NOT belong on the bench when he can't be impartial & unbiased.... when he can't think of the welfare of a child, & not his personal vendetta. This case needs to be reviewed & investigated & this judge needs to be removed. Enough already! My daughter is doing everything she can to make her life better, but not only is the father & his parents, but this judge has literally kept her down.... making sure SHE follows all court orders, but not the father.... WHY?? And what Justifiable reason, which was never given, can I not see my grandson???? I will NOT let this rest, I will bring this to the newspaper & more if this isn't investigated.... ENOUGH ALREADY!!! I miss & love my grandson with ALL my being, & I was taken away for NO reason!!!

And one other thing, I was sitting in a doctor's office with my mother discussing the case.... a lady sitting next to me, said, "I'm sorry for interrupting, but is the judge your talking about named _____?" I said yes, and she told me what happened to her & her daughter. So again, when strangers are having the same issues.... there should be an investigation into this judge. Our Children have a right to be heard! When they are not, this is the reason they become angry & go array.... ADULTS who are supposed to help them are hurting them more these days....especially by judges like this one....and we want to know why they become thugs & punks??!!! This State is horrible when it comes to our children.... WHY?! This needs to change!!

I am also going to start a petition to have this judge not only removed but held accountable for being in contempt himself for not following the oath he took, for not following his own court orders and causing not only a financial burden with all the cost we endured, as we had to go and file modification for every little thing he denied with NO reasons & not giving us a fair trial to rebut anything the father wrote in. As I have said.... we have NEVER in the _____ of this case have gotten a rebuttal from the father so we can refute any of his accusations. And for not giving my grandson HIS RIGHTS as a child to be heard!! This judge needs to answer for his biased, prejudice, discriminatory, bigotry & ill treatment not only of the law he took an oath to uphold, but the very violation of NOT following his own court orders & enforcing them on BOTH party's not just the females.

Below are definitions of how this judge behaved:

Prejudice: "Preconceived judgment or opinion- an adverse opinion or leaning formed without just grounds or before sufficient knowledge- an instance of such judgment or opinion- an irrational attitude of hostility directed against an individual, a group, a race or their supposed characteristics. An unfair and unreasonable opinion or feeling formed without enough thought or knowledge. An unreasonable dislike of a person or group or things, or preference for one group, person or thing. A judgment or opinion formed before the facts are known; preconceived idea, favorable or, more usually unfavorable. A judgment or opinion held in disregard of facts that contradict it; unreasonable bias.

Biased: Unfairly for or against someone or something. Showing an unreasonable like or dislike for a person based on personal opinions; Unfairly showing favoritism towards something or someone; A tendency to prefer one person or thing to another.

Discrimination: The unjust or prejudicial treatment of different categories of people or things, especially on the grounds of race, age or sex. The practice of unfairly treating a person or group differently from other people or groups of people rather than individual merit.

Bigotry: Stubborn & complete intolerance of any creed, belief or opinion that differs from one's own: A person who is obstinately or intolerantly devoted to his or her own opinions or prejudices; especially one who regards or treats the person, members of a group with hatred & intolerance. Intolerance of those who hold different opinions from oneself.

Ill treatment: Humiliating or degrading treatment of acts which cause real & serious humiliation or a serious outrage upon human dignity & whose intensity is such that any reasonable person would feel outraged: Mishandling, Malice, Misuse, Mistreatment, Bullying, Intimidation, Outrage, Persecution, Victimization, Abuse, Oppression.

My daughter has not only been treated this way by _____, but by the Father of her son & his parents. They search online for anything to use against her. 1st time she went to court when _____ was in, they found out she had a warrant for her arrest for a ticket.... she hadn't even gotten it in the mail yet, but they called the Police to let them know she was going to be in court and had her arrested right in court to make themselves look good.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**