

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-070

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner made improper rulings in a dependency/severance matter, and failed to report another judge's misconduct. The complainant also alleges a superior court judge was biased against him, improperly denied him from attending court, engaged in improper demeanor, made improper rulings in a dependency/severance matter, and improperly failed to disqualify himself from a criminal matter. Finally, the complainant alleges another superior court judge failed to report another judge's misconduct.

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 officer's 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).

Dated: May 16, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie
Executive Director

Copies of this order were distributed to all appropriate persons on May 16, 2018.

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

2018-070

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.

BEFORE THE ARIZONA COMMISSION

ON

JUDICIAL CONDUCT

SEE ATTACHMENT

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BEFORE THE ARIZONA COMMISSON

ON

JUDICIAL CONDUCT

)	COMPLAINT ON
IN THE MATTER OF)	JUDICIAL CONDUCT
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INTRODUCTION

I, ("Complainant"), am recognized as a Participant in a dispute with the and the regarding Complainant's minor granddaughter that began on

BACKGROUND

This dispute started after a criminal assault on this minor eyewitness victim and her father by the biological mother,

1 Complainant represented the minor victim and her father as their Lawful Victim
2 Rights Representative in the matter of State vs. (Case # CR
3

4 Complainant attended all the scheduled hearings before the Honorable
5 and several substitute judges in this criminal case.

6 On [redacted] barred Complainant and paternal family
7 members from attending this first dependency hearing in
8 [redacted] allowed [redacted] and the estranged maternal grandmother of the
9 year old minor victim to argue for temporary custody.

10 The mother of the minor victim and maternal grandmother was estranged from
11 the paternal family and by the Arizona Victim Rights Act because
12 tried to kill her daughter and the father on the minor victim's [redacted] (According to
13 the narrative of [redacted]).

14 This [redacted] hearing was shortly after the assault on Complainant's
15 biological son and granddaughter on [redacted] ruled without any
16 input from paternal family members other than the father who was a "vulnerable adult"
17 at the time of the assault and subsequent hearings.

18 After Complainant and paternal family members protested we were permitted to
19 attend all dependency hearings after [redacted] ([redacted] .

20 On [redacted] Complainant witnessed a [redacted] caseworker misrepresent
21 material facts in a successful effort to persuade [redacted] to refuse to return the
22 minor victim to her father ([redacted]).

23 [redacted] rulings were immediately appealed by the father
24
25

1 Complaints of bias, a tolerance for misrepresentations by violations of
2 Arizona's Victim Rights Act and violations of protective orders issued by Judge
3 Court were formally brought to the attention of both courts.

4 On Complainant started reporting these troubling civil rights
5 concerns to the at the

6 On Complainant filed a Motion to Intervene in
7 court. denied Complainant's Motion to Intervene and had several
8 motions stricken from the record.

9 On about was unusually intimidating, rude and
10 disruptive while Complainant attempted to testify before him regarding concerns over
11 violations of the minor victim's rights and well-being.

12 On finally pled guilty in
13 court to "Grand Jury" indictment charges that were drastically reduced down to simple
14 endangerment and assault on the minor victim and the (vulnerable adult) father (Case #

16 The Honorable was assigned to this juvenal dependency dispute
17 after transfer to the (Administrative Order

19 However, on severed the parental rights of
20 in the dependency dispute (). This was
21 after transfer to criminal court went into effect on

23 After parental rights were severed by she was
24 apprehended on other charges and held in until her transfer to for a
25 probation violation hearing in

**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.**