

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-121

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased, had poor demeanor, issued an improper ruling and failed to rule on a motion.

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 Anna Mary Glaab did not participate in the consideration of this matter.

Dated: July 18, 2018

Copies of this order were distributed to all appropriate persons on July 18, 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

2018-121

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 documentation.

To Whom It May Concern:

Please accept this complaint regarding Judge _____ from the _____ Court in _____ and what I consider a HUGE violation of the Victims' Bill of Rights section 2.1 (A) "To preserve and protect victims' rights to justice and due process, a victim of crime has a right to BE TREATED WITH FAIRNESS, RESPECT AND DIGNITY, AND TO BE FREE FROM INTIMIDATION, HARASSMENT OR ABUSE. I DO NOT to see this from Judge _____.

I AM A VICTIM. A.R.S. 13-2916 – "Use of electronic communication to terrify, intimidate, threaten or harass" has been what I have been dealing with for more than _____ now. The person subjecting me to this or whom is behind these "activities" is _____, my spouse & hopefully soon to be EX-husband, and we currently have a Family Law case before Judge _____ at the present time. _____ is the Petitioner in this case, _____, ONLY because I have tried to file for Dissolution _____ prior to his filing, however, I was denied _____ without ANY explanation other than "YOU NEED TO GO TO _____ :!". Since this isn't something I don't do & haven't done, I had no idea why I was being addressed this way. It's rather interesting too, that the _____, is a direct relative to _____ has had no problem filing or demanding anything.

The Petitioner's counsel, _____, filed Petition for Dissolution AND an Emergency Motion for Temporary Orders Without Notice on _____ and received an Expedited Hearing on _____ before Judge _____ I went to court on _____ as I was summoned & was completely disgusted by the behavior and demeanor of Judge _____ was extremely condescending when _____ had anything to say to me, would not allow me the right to be fairly heard and made me feel very intimidated with NO rights whatsoever. It was so significant that my sister, who was sitting in _____, even was shocked by _____ demeanor. When _____ spoke to the Petitioner & his counsel there was a significant change in _____ demeanor. I asked for continuance so I could seek legal counsel due such very short notice I was given from the date I was served, _____ at approximately _____ to date of the hearing on _____.

Petitioner's counsel advised the judge that "_____ " he did not have current contact information for me and Judge _____ demanded that I provide my address and all other contact information loudly so the entire court room could hear. I declined to do so due as a current Order of Protection between the Petitioner and myself is in place. At that time, I was NOT aware that the OP that I had been granted on _____ against the Petitioner

had been quashed due to the Petitioner going to the EXACT

that is located close to me, the day he was served with mine, using almost exact same verbiage I expressed gain OP against me. I have yet to receive ANY communication about him requesting a hearing due to having to change my phone number several times to avoid ongoing harassment from & I received NOTHING in the mail due to interference consistently happening since the day the Petitioner was removed from the home, . As requested, I did provide the Judge's assistant my updated address in writing.

Judge court ordered that I return the Petitioner's personal items to his counsel by

I met those court orders and set up a time and place with Petitioner's counsel to return his items. I was at the agreed location by on and called to let him know that I was there. He stated that " " were waiting for for a civil stand-by for the exchange. After approximately I called again to see if he had heard anything from as to when they would be able to be there. stated that they told him that they would have officers there as soon as they could, and he couldn't understand what the delay was because he had called them at to set up the civil standby. At I called again for an update since I had not heard anything from him. I assured him that there would be no problems if he wanted to come retrieve the of things that I had for the Petitioner as well as a box of items for MY dog, a , that was stolen from me the night of by the Petitioner and : AFTER they were advised to NOT remove her from my residence. said he would discuss it with the Petitioner and get back to me. At , I again contacted since I had not heard anything and told him that I was going home and he would need to make further arrangements for the " " exchange with the court. tried to get me to continue to stay but I advised him that I was not feeling well and I was going home.

I filed my Response paperwork on and this included a Motion for Temporary Orders for temporary spousal maintenance, property and/or debt. The " " in this case is my , whom I fear is in great danger while in the Petitioner's possession. With the amount of court orders that have been broken by the Petitioner, I have had to change my phone numbers and email addresses numerous times during this process and I have also moved away in hopes that the harassment would stop but it has not. The most recent phone number I got on started receiving calls about the Petitioner's and my delinquent accounts right after I had filed my Response paperwork. I asked them where they got this phone number and each time I was told " " – who is not supposed to have ANY of this information. This was never given or made available to the Petitioner. His counsel had the phone number but my address was to be protected by the courts.

On I received an email (with a date of on them....??) with a

new court date, I was told by the office that this was for the Motion for Temporary Orders that I had filed. The actuality, however, was an order changing MY hearing to a hearing to Enforce Temporary Orders for the Petitioner and the return of his items which & the Petitioner failed to meet on then filed a Motion to Continue because of a schedule conflict and he was going to be out of town on Judge had no problem granting the continuance and pushed the date out to . At this point it's clear that she doesn't really care about the hearing I requested or my financial status. I am in desperate need of the temporary spousal maintenance & in constant fear for the health, well-being & safety of Due to not allowing me to go to the dentist or doctor during our marriage & stating, " , my health has deteriorated substantially. He has cancelled part of the health benefits that I am entitled to through his employer even though he was court ordered NOT to. I am being treated as if I was the abuser!

The Temporary Spousal Maintenance was asked for so I could afford doctor's care outside of what my health insurance covers to address a very severe health issue. If it is not addressed could result in irreparable damage to me up to/including death. It is clear that Judge has significant favoritism towards the Petitioner as if there was some type of " . I also believe this puts the Petitioner in contempt of court, and this would not be the first time, but no one seems to be so concerned & refuse to do anything to make the Petitioner accountable. I have also enclosed a copy of my Resolution Statement for further review. I expect a response from Judge in regards to Motion for Temporary Orders filed on and the fact that they have been ignored. It is completely inexcusable for a Judge, whom is SUPPOSED to remain neutral, to act the way she is.

I realize that Judge will be made aware of this complaint & it is EXTREMELY clear to me that no matter if I had a lawyer or not, how this case will end. I also understand how the Petitioner's law firm operates so, effective immediately, I have decided to walk away from the severe prejudice with my dignity & respect. As far as asking for a Change of Judge or Venue, it's obvious that it would NEVER be granted. I have a new OP that was to be served, however, with the unethical conduct that has been displayed against not only myself but also my sister and has destroyed our lives in less than so I am making the decision for everyone and walking away! I am DONE with this ENTIRE case, display of DISRESPECT and being made a fool of from everyone!

After of being in an abusive marriage, the only " I've committed is standing my ground & walking away from the abuser. ALL I asked for & expected was to have a neutral judge, to be heard fairly, health care, MY DOG & some financial help in the way of Spousal Maintenance. I apologize for apparently asking too much! I at least expect this divorce to happen immediately, I want returned to me immediately, my name and my

life back and to have peace & quiet, **FREE** from stalking, harassment & being terrorized.

I asked for a divorce with a little dignity & respect & what I got was a clown show. If this is any indication as to how the State of Arizona supposedly takes Domestic Violence SO seriously, I am truly embarrassed for you! This complaint should be handed to Ms. as she is a gross representation to ANY : in the country!

Thank you for accepting this complaint as it IS my right to be heard and to express my concern regarding this matter, as there have been several instances in the past that have not been afforded this option.

Respectfully.