

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 19-011

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Judge:

Complainant:

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**ORDER**

The Complainant alleged a superior court judge was not impartial, retaliated against him for filing a prior complaint, and engaged in improper ex parte communications.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Dated: May 22, 2019

Copies of this order were distributed to all appropriate persons on May 22, 2019.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

19-011

**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.

I was the Petitioner in a \_\_\_\_\_ matter before Hon. \_\_\_\_\_ I filed a complaint against him for competency, being bias and not being impartial. Nor did he base our case on the facts of the case in fact protected the respondent. He appears to have something against men. But that was and I let it go. What is important to me is having a fair child and being a great father to my child.

This particular matter took place on \_\_\_\_\_ It appears that Hon. \_\_\_\_\_ seems to have lacked the ability to remain impartial. He has denied me access to my child's school records for no apparent reason. He allowed the respondent have carte blanche in this matter while denying me the access to my child home address as ordered and access to school records as ordered. This is intentional. I have gone before Mr. \_\_\_\_\_ multiple times requesting he enforce the orders from \_\_\_\_\_ by Judge \_\_\_\_\_ The respondent has not complied in over \_\_\_\_\_ Judge \_\_\_\_\_ ordered me to have the address of the child and work address of the respondent so I can collect \_\_\_\_\_ in court fees.

This judge still seems to be harboring ill feeling for me because I filed a complaint on him Petitioner filed a reconsideration motion with his court on \_\_\_\_\_ on \_\_\_\_\_ his courte had already denied the request. This is very surprising because the information next to the his office stated \_\_\_\_\_ I filed a seperate motion on \_\_\_\_\_ and this was denied on \_\_\_\_\_

I would like this departement to look in the actions of Honorable \_\_\_\_\_ because if he is not in a position to allow me a fair trial then perhaps he should have disqualified himself from my case. Please not that petitioner does not have nay Personal protection orderer against him and has not had any issues with the child.

I can only say this it seems that Honr \_\_\_\_\_ seems to be the nicest of Men but i can tell you he has a dark side to him.

This came out when he asked the respondent "

As I stated previously I filed a complaint against Hon. \_\_\_\_\_ previously I had hoped he be more focused and attentive. I was hoping he would be a judge that was impartial and base his finding of the case. It seems he has some grudge against me. I am just wanting to be in my childs life. I know he is not impartial but I will take that up with the

I am no attorney but I do know " \_\_\_\_\_  
" Kent k. v Bobby M., 210 Ariz. 279,284, ¶ 24  
(2005). The state may not interfere with the relationship between parents and their children without providing due process of law.  
It is clear that Judge \_\_\_\_\_ is comfortable with restricting my access to my child without due process.

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**COMPLAINT AGAINST A JUDGE**

Name: \_\_\_\_\_ Judge's Name: \_\_\_\_\_ Hon. \_\_\_\_\_

**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.

it seems that Mr. \_\_\_\_\_ has no issues displaying his power over me by denying me rights to my child and not following the orders from the \_\_\_\_\_ order of Judge \_\_\_\_\_ I wish \_\_\_\_\_ was on this case she was impartial and a standup Judge. I wish I could say the same for Hon. \_\_\_\_\_ It's rather sad there is such a huge drop off in integrity.

\* PLEASE NOTE Petitioner's motion for Amended Judgement was entered and filed I+ was already rejected on Tms level of efficiency has to set off alarms I am sure. Again from the info I received The Judge was out until

Please note the calls. I received a call from his office regarding my submission the I corrected the doc. from Petition to Motion... Something is very fishy with Hon. and his office.

The Court reviews  
*Contempt.*

*Addendum—Petition for Order to Appear Re:*

**LET THE RECORD REFLECT** that Father has not served Mother with his pleading and today's Evidentiary Hearing is limited to Father's pleadings.

**LET THE RECORD FURTHER REFLECT** hearing was set for It is now Mother left a voice mail with judicial staff at this morning stating Judicial staff attempted to return the call and to no avail. Mother has failed to demonstrate good cause for her failure to appear.

**THE COURT FINDS** that it is apparent from the record that the failure to appear lies with Mother, that the failure to appear was willful and the violation warrants this Court proceeding via default as a sanction.

testifies.

Father's are received in evidence.

**THE COURT NOTES** that Father has testified he last exercised parenting time and that his work schedule has changed requiring modification of telephonic/Skype access for parenting time. Accordingly,

Based upon the evidence and argument presented, the Court makes the following findings and orders:

**IT IS ORDERED** modifying Father's telephonic/Skype access with the parties' minor Father shall have telephonic/Skype access on at ( time). Father has a window to initiate the call.

**THE COURT FINDS** that Father has provided by clear and convincing evidence that Mother is in contempt of Court for willful violation and failure to comply with the Court's orders for parenting time without good cause.

**THE COURT FURTHER FINDS** that Mother has violated the following court orders:

- **TAXES:** Mother claimed the minor child for while Father is entitled to claim the for As a sanction,

CLERK OF THE COURT

HONORABLE

IN RE THE MATTER OF

AND

CHILD SUPPORT

JUDGE

MINUTE ENTRY

The Court having received and considered Petitioner's *Petition for Order to Appear Re: Motion for Amended Judgment* filed

**IT IS ORDERED** denying *Petition for Order to Appear Re: Motion for Amended Judgment*.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at:

HONORABLE

IN RE THE MATTER OF

AND

MINUTE ENTRY

The Court having received and considered Petitioner's *Motion for Amended Judgement* [sic] filed

**IT IS ORDERED** denying Petitioner's *Motion for Amended Judgement* [sic].

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at:

**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.**