

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-261

Judge:

Complainant:

ORDER

November 13, 2019

The Complainant alleged a superior court judge was biased against her and made improper rulings in a family law matter.

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 Commission Rules 16(a) and 23(a).

Commission members Christopher W. Ames, Colleen E. Concannon, George H. Foster, Jr., Christopher P. Staring and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 13, 2019.

Complaint to Arizona Commission on Judicial Conduct (ACJC)
Against The Honorable

Summary

I am submitting this complaint against _____ Court Judge
related to _____ Case Number _____ Please note the following as the
nature of this complaint is reviewed and/or investigated. **I am well aware that this Commission
does not have jurisdiction over the disciplinary actions of any attorneys named in this
complaint. However, I respectfully request that all adjudicators and attorneys tasked with
investigating my claims remember the responsibility of Arizona attorneys and judges to
report to the Arizona Bar, attorney misconduct (ref. ACJC (_____ also of
_____ County).** The Arizona judicial system has become rife with abject immorality ignored
and/or encouraged by the entities tasked with policing court behavior. A disregard for the
responsibility to report the ethical codes violations of peers exacerbates the situation. The
Arizona Bar has turned a blind eye to the reprehensible, vexatious, illegal, unethical,
pathological and overall egregious behavior of _____ They are well aware of her
improprieties.

Documentation from my complaint to the _____ for Petitioner,
_____ has been presented to the Commission as well. Upon delivery of this complaint, I will
request that all documentation be copied _____ from the
office. If the Commission is not able to oblige, I will have to find an alternative means to provide
my material evidence. The Court has inflicted on me severe financial limitations; therefore, at
this time, I cannot afford the cost burden of making copies of the volumes of paperwork attached
to this case.

I, _____ am the Respondent in my case. For the purposes of this complaint, self-
reference will vary between the use of Respondent and the pronouns related to I.
_____ is the Petitioner in the same matter. He, _____ the Petitioner and other variations will be
used to reference him. _____ of _____ located
_____ is the counsel for the Petitioner. Her Notice of Appearance in
this capacity was filed on _____ was my therapist during this time.
_____ is my mother. _____ is my former attorney. His date of abrupt
withdrawal as such was _____ I was informed by an email copied to
and _____ Judge _____ enforced the Order on _____ is the
attorney chosen by the Petitioner, his counsel, the Court and _____ to prepare the
domestic relations orders for this case.

I am scheduled to appear before Judge _____ for a
Court hearing to address the reason for a delay in the distribution of the retirement assets of the
Petitioner in my case. _____ employee. His retirement
consists of _____ and the
Because of the severity of my allegations, I do not feel safe doing so. The deleterious bias of the
Court against me has resulted in a legitimate fear of imprisonment or continued injury to my
livelihood, mental and emotional health, as well as my right to maintain ownership in my home

and thus be domiciled in shelter. The expectation to receive abuse from the Court, the Petitioner and Petitioner's counsel through continued abusive litigation and rulings has become standard court protocol. Accepting orders from the court regarding the contested issue of Petitioner's retirement asset division will result in my financial ruin. Although unaddressed by the court, I and my children are also domestic abuse victims. The Court supported our abuser,

in purchasing a home within [redacted] I contend that the Court's rulings in general, and specifically regarding retirement, are the result of a change in the judge's position due to harmful bias in favor of the Petitioner. Not only do the rulings create a fraudulent impression of equitable division, they contradict the judge's previous orders as evidenced in Court transcripts. The original terms, while not equitable, were agreed upon by the Petitioner and his attorney, but then changed without citing of relevant statute.

As the presiding judge, the Honorable [redacted] influences the behavior of all subordinate judges presiding in the [redacted] County. Although both the Arizona Code of Conduct for judges as well as the Code for Judicial employees forbid punitive retaliation, the reality is to the contrary. Violations of the applicable canon rules and statutes are ignored for fear of incurring harmful consequences from the Honorable [redacted] Furthermore, given the profundity of violations by [redacted] along with the refusal of the Petitioner and his counsel to comply with Arizona statute and Court order, I do not believe I can receive a just ruling from the [redacted] Court. The Court is determined to adjudicate the complete ruin of my life and the lives of my children. The unresolved issue of retirement is being unnecessarily pursued in Court by Petitioner and his counsel for the purpose of continuing his litigious abuse against me and our children. I am being forced to accept money for the purposes of executing a confidence game on the judicial system and myself resulting in my financial ruin.

Therefore, I request that the committee arrange for a moratorium on hearings and the consideration of pleadings for my case until the facts of the situation are elucidated and a clear effective solution is determined. There are no pressing matters that require resolution at this time other than [redacted] the Petitioner signing a quit claim deed to my residence, located [redacted] I have received none of his retirement assets; therefore the [redacted] marital residence offset that will be mentioned and explained in this complaint has already been given to Mr. [redacted] Review of the case will provide clarity to this and reveal that [redacted] and her client claim the contrary based on nonsensical terms.

This case has been allowed by Judge [redacted] to continue for [redacted] No activity occurred from [redacted] Petitioner deceived Respondent regarding dismissal of his petition for legal separation by telling me the case would be dismissed after a certain period of time. During the aforementioned year, I was under the impression we would reconcile. The case summary is [redacted] long. As such, the instances of both attorney and judicial misconduct are extensive and pertain mainly to the caprice of Petitioner regarding his unjust desires for biased favor on the issues of every matter related to the dissolution.

At this point, it would imprudent for me to invest any considerable amount of time in providing detailed information on every instance of code violations if the committee chooses not to

investigate my claims. I have already experienced this with the Arizona Bar. Should the Commission find my grievances to be legitimate, I will cooperate in providing whatever information is required.

With this complaint, I will focus on the current unresolved matter of distribution of the community share of Petitioner's _____ retirement accounts. I will also provide an extremely truncated list of what I perceive to be decisions and behaviors demonstrating what I feel is biased abuse directed by the judge almost exclusively toward me, the Respondent in this case, as well as my adult and minor children.

General and Pervasive Examples of Misconduct

Violations of Rights

1. Denial of right and ability to appeal. There are at least _____ confirmable instances where I have been denied the right to appeal by the decision of the Court to _____

The dates of these telephonic hearings were _____. The same denial of rights has taken the form of the judge refusing to respond to requests broached in certain pleadings. This was the most common form of appeal right denial. The judge simply ignored my requests and those of my former attorney.

2. Judge _____ through his bailiff, denied my supporters the right to remain in the courtroom during hearings and trials. Witnesses for both parties were told before testifying and invited to leave by the judge after testifying. This left at least _____ witness, _____ with the false impression that the hearing/trial was closed to the public. The Court had issued no order to close the proceedings. This was not an inadvertent communication oversight. It happened multiple times. In _____ during a hearing attended by my children and mother, they were told by a bailiff to exit the courtroom. During a trial on _____ my mother was made to sit in the _____ for _____ hours. The bailiffs, clerk of the court, court reporter, assistant to the judge, and Judge _____ himself were aware of her presence and her right to sit in on the hearing.

I was only told in _____ by a private citizen that this was against the law. While at the _____ I verified this information with the Court bailiffs. They all agreed that hearings and trials are open to the public unless the judge orders them closed. Specifically _____ relayed this information in the presence of other bailiffs including his supervisor, which he identified by gesturing toward him. He also emphasized that the judge had to have a compelling reason to order a hearing or trial closed. A telephonic hearing had been ordered before I spoke to the bailiffs. The date of the hearing was _____. My mother and children chose to attend. For the first time in the history of my case, they were allowed entry. They were also treated much more kindly than previously. Judge _____ alerted the Petitioner and his counsel, who called in, of the presence of what he called the "_____" ". He also noted during the hearing that the proceedings were public. The Honorable _____ had never made this

information known to me during any court proceeding prior to this hearing (Link to hearing:

3. The Court denied every request made by my former attorney [redacted] for a telephonic hearing. Conversely, every request made [redacted] was granted. This is unambiguous and deleterious Court bias. The Petitioner often stated in his motions a singular or set of issues, but during the actual hearing introduced completely different matters through [redacted] would then implement tactics such as speaking over my attorney and stating I was not allowed to speak while allowing [redacted] a voice. Additionally [redacted] regularly demonstrated what is psychologically termed disordered behavior consistent with narcissism, including but not limited to: baldfaced lying (refer to Black's Law Dictionary), yelling at a telephonic witness, providing evidence that contradicted her own lies, silencing testimony through unfounded objections, tactics designed to deceive the Court into a certain position knowing the Petitioner had no intention of fulfilling any of those claims, delaying judgement based on dissemblance, disrespectful communication to all parties including the Court and interpreting Court decisions when the Court provided none in my estimation, projecting her own dishonest intentions onto myself and [redacted] representation of the Petitioner is synonymous with society's stereotype of attorneys at large. Immorality is her morality. Judge [redacted] supported all of this behavior. I cannot recall any instance where Ms. [redacted] was ever disciplined for her blatant and unnecessarily dishonest and abusive manner.
4. The Court repeatedly made false accusations against me despite evidence indicating the contrary. Judge [redacted] also denied me the right to respond to his assumptions. Again, this was not how [redacted] were treated. In [redacted] the Court falsely accused me of pulling my children out of school to attend a hearing. My children were present because they were homeschooled at the time. [redacted] was the time of one of their school breaks.

In the final decree, Judge [redacted] stated that I was unreasonable in the vast majority of my positions. He also falsely stated that I possessed significant financial resources. Because of the rulings of the Court, as well as their support of Petitioner's litigious domestic abuse against me and his reported sexual abuse against [redacted] of the children, I have suffered significant emotional trauma. It would have been impossible as a domestic abuse victim to work while homeschooling my children and furthering my education. The Court, Petitioner and [redacted] made this case a full-time job. The Petitioner regularly filed pleadings that required attention. He is still doing so. The Court refused to allow almost any testimony addressing how Petitioner's abuse both during the marriage and in Court proceedings caused Chronic Post Traumatic Stress Disorder as diagnosed by psychiatric nurse practitioner,

What the Court calls significant financial resources is non-existent. The Court required me to sign a quit claim deed to the residence the Petitioner purchased during the divorce proceedings. Yet, the court remains quiet on the Petitioner's refusal to sign the quit claim deed to my home, which the Court awarded as a part of the dissolution. As a result I

cannot sell my home of my own volition and only hold half equity in the residence, which is essentially no equity because of the inability to sell without the involvement of the Petitioner. Because of the Court's rulings, my children and I subsist on

The Court refuses to grant me any portion of Petitioner's retirement. The award is a fraudulent declaration. falsely stated to the Court that the Petitioner consented to and sent in the domestic relations order for his I have no expectation that Petitioner will ever cooperate in this regard. The Court refuses to address Petitioner's refusal to comply with its orders. Despite the marriage lasting exactly to the date of the final decree,

the Court awarded me in spousal maintenance until Petitioner is still filing frivolous pleadings, the most recent of which is to request from the Court that I be forced to accept their inequitable and fraudulent terms for distribution of Petitioner's

The order effectively leaves me with a negative balance as will be explained. I also have been left responsible for significant debt from legal fees because of this case. This is all directly related to the decision of the Court to remain biased in favor of and accommodating to the desires of the Petitioner, who was diagnosed as having

a clinical psychiatric nurse practitioner, returned to this in open court. Neither gave any indication that they contested diagnosis.

While I am not asking for a change in the Court's orders, decisions or conclusions, I am asking that this Commission seriously contemplate the repercussions of the judicial malice I have received. My case is not a rare anomaly in the adjudicatory repertoire of Judge My life has been ruined by malicious and harmful Court bias that cannot be reversed. I am simply asking for the right to recover from the abuse of the Petitioner, the Court, and free from harassment. I and my children maintain this right by law.

Misconduct Concerning Community

Petitioner in this case regularly changed positions, agreeing to certain terms then, changing them without providing any compelling evidence other than his shifting emotions. Judge patiently accommodated this, unnecessarily prolonging the case. The judge, and blamed me for Petitioner's unreasonable positions. Division of retirement had been decided during the trial. At this proceeding, I feel that I was coerced and manipulated by Judge to agree to certain unequitable terms with the threat of going on the stand once more.

During the previous trial, I was harassed on the stand by over my account of repairs needed on the marital residence. She was assisted by Judge My position was that since the Petitioner maintained partial ownership in my residence, the offset of his share should be reduced by his half of the responsibility for repairs in the home. The judge and put me on the witness stand for what I allege was the purpose of intimidation and wearing down my resolve. Both tag teamed in invalidating my estimations for repairs. In the end, they accused me of wasting the Court's time. On when I remained resolute

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COMPLAINT ON ITS WEBSITE.**

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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.**