

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-263

Judge:

Complainant:

ORDER

January 28, 2020

The Complainant alleged a superior court commissioner was biased against him and improperly failed to disqualify herself in a family law case.

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 Gus Aragón, Roger D. Barton and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 28, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

19-263

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.

Hello,
My name is _____ (petitioner) with a divorce case (_____) and the Respondent is Ms. _____ at _____ Court in _____ County. The petitioner ' s attorney is _____ and Respondent ' s attorney is _____. The above case is assigned to Hon. _____ Judge _____ dated my _____ a few years ago and _____ and my _____ even though they broke up while back, but they are still in contact. _____ has been at our house and _____ has been at judge's house during the time they were dating. _____ knows my very well since _____ spent time with _____ at my _____ residence. According to _____ and judge _____ made breakfast together for several times at judge's kitchen. During my first hearing, _____ appeared in the court with _____ and judge _____ recognized Judge _____ asked _____ to leave the court room. _____ a few weeks after the first hearing told me that Judge _____ is _____ I met _____ once at my resident while I was making lunch for my family. I mentioned this information to my attorney at the time and my attorney reached out to judge _____ and informed her. This a conflict of interest, however judge continued to stay on this case. I feel very uncomfortable with judge ' s decisions since they are skewed in benefit of Respondent. My attorney knows this judge very well and she is surprised by judge ' s behavior toward me. My attorney stated that " _____ ". This judge is a discriminatory, bias, and unfair and I ' m afraid that _____ decisions ultimately will compromise my equal rights. I would appreciate your time and effort for looking into my case.
Best Regards,