

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-022

Judge:

Complainant:

ORDER

May 12, 2020

The Complainant alleged a justice of the peace engaged in improper demeanor during a judgment debtor's exam.

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 member Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 12, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020 - 022

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.

See attached letter please

2020 - 022

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

Re: Case No.

To Whom It May Concern:

Knowing that I had the right to the Debtor's Exam Questionnaire that was served to Defendant and Ordered to be completed by the Judge, I spent \$ to have a private investigator locate Defendant. I also paid to have Defendant served by a process server and hired to bring him to court.

When I hired to bring Defendant to court, told me that I " ". Until Defendant was brought to court Defendant had not attended any Order by the Court. I thought it best that I just keep my mouth shut and just sit there since the Judgment had already been awarded and it was just a matter of Defendant complying with the Order to fill out the Debtor's Exam. I expected the Defendant to attack me as he is a violent man, as evidenced by his punching the car when he was served by the process server. I NEVER expected the Judge to call me crazy and discredit me.

When the Judge called me crazy, I do not remember much because I disassociated and went into a " " response. I did not feel safe and just wanted out of there. If you see the video in the courtroom you will see the change in my demeanor. I Went from being proud to defeated and humiliated. I was not prepared to be attacked by the Judge. I believe the Judge may have been trying to provoke me. I was trying my hardest not to react to being attacked by Defendant and the Judge called me crazy I think to get a response out of me. I am just now able to deal with this emotionally and am trying to remain stable as this was very traumatic to me and has caused severe irreparable harm to me.

After this event, and the ensuing letter from the Judge, he referred to the meeting as a "Debtor's Exam". The Constable said just to "be there". We scheduled a Debtor's Exam and Defendant did not attend. That was not a "Debtor's Exam". **It was just a "beat up" session.** It was a total disrespect to me, my rights and my Judgment. The Debtor's Exam was not filled out by Defendant as ordered. I left the courthouse in a stupor.

Defendant was required to bring the completed Debtor's Exam or it will result in **Civil Arrest Warrant** issued for his **arrest**, or **SANCTIONS**. Okay. I had it. WHAT HAPPENED? Then, the judge mocked me in his letter to me by saying they had no " ". The Order to complete the Debtor's Exam stated **DEFENDANT IS REQUIRED TO BRING ALL DOCUMENTS PERTAINING TO JUDGMENT EXAM OR RESULT IN CIVIL ARREST WARRANT OR SANCTIONED.** Then, the Judge mocked me and insulted my intelligence by saying there was not " ".

I needed that information from Defendant. Because the Defendant did not disclose his bank information to me, Defendant was forcing me to go the Post Office to pick up Certified Mail with a Money Order because Defendant did not want me to know about his finances. Defendant has only paid me \$ money orders as of date.

Since the letter from the Judge telling the Defendant he was Judgment free, Defendant quit paying me. I would not have paid all that money if I knew that the Judge would not enforced his Order because I was " " according to the Judge. I put a lot of work in getting justice done only to be slapped down and humiliated by the Judge.

It has been over months since this incident. My doctor said I can work on this issue a week. I was extremely humiliated and suicidal. This is very traumatic for me. I must stand up for the Seriously Mentally Ill. We have rights. We are not stupid. We have an illness. I was mocked and humiliated. I know that life is unfair. But I believed the and the Judge would be fair and unbiased. But, as evidenced by the Judge, because I was crazy, he felt I was not entitled to due process of law.

The Defendant was not even sworn under oath and told the Judge he was homeless. I can show you a picture of the home where he resided. It was about square feet and there were at least cars in the garage. I knew his mother and grandmother and know Defendant lives a very comfortable life. His mother and I were friends and I have been to their home on several occasions. They are not hurting for money.

I recommend the Judge take sensitivity training. If the Judge apologizes to me, I will refer to him as Honorable. Until then, there is nothing honorable about him.

The case has been reassigned to a new Judge but because the Judge did not give me the information I was entitled to from Defendant, they have fled. They no longer reside at the home and I do not have any way of finding him. Can the courts please absorb the costs to find Defendant? There is no way the Judge can undo what he did. All I ask for is to put me back in the position I was in before the judge humiliated me. I need to know where Defendant is and then have him served again with a Debtor's Exam. I should not have to be going through this again.

How do I come back from what he did to me? The Seriously Mentally Ill is not a joke. Luckily, I am suicidal and have never been homicidal. Next time he does this to someone who is Seriously Mentally Ill, it may not end in a good way. The Judge needs to be aware not to provoke the mentally ill. Would he laugh and mock at me if I had cancer? It is the same thing. An illness. No judgment required.

Now Defendant is laughing at the way I was treated and happy that he did not have to adhere to the laws of the United States. My parents are rolling over in their grave because this money was part of my inheritance. My parents were very active politically and there were a couple of Judges at their funeral. I must make this right and I am devastated to say the LEAST!!!

Please fix this. Thank you.

Sincerely,