

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-161

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge prejudged his case, engaged in ex-parte communications, engaged in disparate treatment, 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 reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The Commission approved sending the judge an advisory letter reminding the judge of his obligations under Rules 1.2 and 2.2 to not give an appearance of prejudgment or favoring one party over another. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission member Joseph C. Kreamer did not participate in the consideration of this matter.

Dated: November 17, 2020

FOR THE COMMISSION

/s/ Louis Frank Dominguez  
Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were distributed to all appropriate persons on November 17, 2020.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

20-161

**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.

My wife divorced me in \_\_\_\_\_ and has had custody of my \_\_\_\_\_ children since, I have paid above and beyond court appointed child support and have never missed a payment. When I met my current wife and got remarried my ex wife began a smear campaign with my children saying the reason for the divorce was that I cheated on her with my current wife when in fact she was the one caught cheating. My relationship with the boys was very strained and I hardly seen them. In summer of \_\_\_\_\_ my oldest son discovered the truth and began to tell me of conditions in the home and the abuse he and his brothers were suffering. At first I thought he was just angry and the claims were unsubstantiated. In \_\_\_\_\_ I was offered a job that would require me to relocate to \_\_\_\_\_, because of a back injury I could no longer physically do my current job, I talked with the boys and they expressed that they wanted to come live with me. I told them I would love that but the court would not allow it, I drew up papers to modify the parenting time so the boys could visit me and tried to have the ex sign them before I left, she would not. When I arrived in \_\_\_\_\_ I was served with papers hours before a scheduled hearing to modify child support, not knowing what to do I reached out to Judge \_\_\_\_\_ office to seek an extension as I could not appear because I was in \_\_\_\_\_. They agreed to let me appear by phone. It was during this hearing that the judge tried to force me to agree to the new amount, it was at that time I advise the judge that I would like to gain custody of the boys. Throughout the case my ex wife made several statements via email and in person to my son's girlfriend that the judge had spoke to her after I hung up and told her that I had lied and not to worry. I was under the impression that the judge was not to speak to either party without the other party present. The case proceeded to trial for which I hired an attorney, a court appointed advisor was hired to speak to everyone individually. It was then that I learned the extent of the abuse. During the hearing the Judge spoke to the court appointed advisor on the phone and basically called her a liar and discounted all of here findings which stated that the boys would be better off with me. The boys are \_\_\_\_\_ and \_\_\_\_\_ and are mature enough to make their own decisions. He then but me on the stand, and began berating me saying that I lied to the court, when my ex took the stand he actually coached her on how to answer the questions. Needless to say he went against the boys wishes and did no grant me custody of the boys, he did however grant me a judgement for money that was never repaid to me from the original divorce decree, only to find out that the ex already has a wage garnishment judgement against her that was never disclosed and was awarded around the time she asked for more child support.

I request that someone review the court documents and listen to any recordings available. If the behavior exhibited by \_\_\_\_\_ is acceptable then this is a disgrace to the judicial system, that let my two boys down and left them stuck in an unstable home where they will be scared for life because of a judges misconduct.

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