

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-332

Judge:

Complainant:

ORDER

February 17, 2021

The Complainant alleged a superior court commissioner improperly dismissed his family law petition.

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).

Copies of this order were distributed to all appropriate persons on February 17, 2021.

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

FOR OFFICE USE ONLY

2020-332

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.

Case #

I was approved to serve by alternative methods after trying a service processor, as well as sending and having Respondent sign for Certified restricted delivery and Commissioner saying that wasn't good enough because he didn't know that was her signature. (How would he know?) If that method isn't accepted it should not be listed as a form of service on the Courts instructions. So I followed Judge ruling and sent to the Respondent via Certified Mail with tracking, emailing the Petitions and Notice to appear to the last known email address and by posting it to the Resndonts door. Judge came back on the hearing date and said the email "

' so he rescheduled the hearing again. I was instructed how he wanted me to label the email and they provided a new court hearing for This time because of how picky they have been with EVERYTHING I have done I labeled the email exactly how he requested and even attached the pictures of the Petition on her door. I sent it via Certified Mail with tracking and submitted all of these via my affidavit of alternative service filed The Respondent submitted a Motion to Dismiss the Hearing before the hearing claiming I never mailed her the Petition that I sent it to a random address. I responded with proof of what address it was delivered (hers). The next day I waited for the Clerk to call as they do before each hearing.... the call never came. I picked up the phone and called in and thats when I was informed that the hearing was canceled and that Respondents petition to dismiss was granted. Totally confused as to how I waited for the Ruling to show up online. Once it did I was in utter shock. The Courts finding were that I never emailed the Petition to the Respondent, which was and that I never mailed it to her address which was as well as in the response. Assuming that someone overlooked the evidence submitted I did a Motion to Reinstate the hearing. Commissioner responded with " ' and nothing more. It is my stance that this office needs to be held liable for their errors. The Petition to Modify was filed back in and every single hearing date the Commissioners office has found another reason not to hear the case. The Court has been absolutely TERRIBLE at reading motions in full requiring me to have to file several follow up motions to get them to read the entire filing. This is unjust and should be happening to people. I have now missed of work for the same hearing that he keeps dismissing improperly.

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