

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-101

Judge:

Complainant:

ORDER

October 6, 2021

The Complainant alleged a superior court judge did not give her a fair trial and made erroneous 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 member J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 6, 2021.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-101

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.

On _____ our son was born. The petitioner, _____ saw our son less than a handful of times each _____. I had asked numerous times for _____ to provide diapers or pajamas _____ our son. He only seemed to forget about it. I was the sole provider for our son, while being a _____ student and working _____. On _____ of _____ my court case had a hearing. The petitioner, _____ had stated previously that he did not want equal parenting time as it would interrupt his school and work schedule. He signed a schedule saying that he could not uphold the equal parenting time schedule. I provided the court with this evidence so the court case did not have to go to trial because the petitioner stated that he could not uphold the schedule. The petitioner had also stated that he did not want to pay child support because it would save money if he didn't. This audio was also included in the evidence. The case still proceeded to trial. Judge _____ determined that the petitioner, _____ would receive equal parenting time, despite the evidence that he refused the opportunity for equal parenting time. Judge _____ also determined that _____ did not need to pay back child support for the time that _____ had not supported our son. Judge _____ had stated that since _____ was a student, that he did not want to take away time that could be used for school to have to work to pay back child support. I was a _____ student as well, but was the sole provider for our son. On _____ of _____ the final order for equal parenting time was established. The first right of refusal was not included in the order. My lawyer, _____, sent in a request to have the first right of refusal added to the order. Judge _____ denied this request. On _____ came back from _____ house with a bruise and bumps on his genitals. I took him to the hospital, and the doctors alerted CPS of the marks on our son's body. An investigation was opened and is still currently going on against _____ On _____ of _____ I filed a change of venue due to the fact that I had relocated. Our son's medical records were transferred from _____ to _____. Our son was also referred to a _____ and _____ due to his lack of communication. They determined that he was behind and needed to see a _____ times a _____. _____ refused to let him get the help he needed. I filed the change of venue in hopes that I could file in _____ to get our son the help he needs. Judge _____ denied the request for a change of venue and did not uphold the procedural standards to have a trial to determine the best solution to the issue. I was not able to respond to the petitioner's response to the change of venue. _____ had stated that our son's pediatrician was located in _____ however, our son has not been to a _____ pediatrician since he was _____ old. I was not able to state my position on the issue, because I was not given the right to a fair trial. Judge _____ also determined that I would pay the petitioner's lawyer fees. This does not uphold the same standards he placed on _____ in the first trial. I am still a student as well, yet I am having to work more to pay the petitioner's lawyer fees, instead of using the money for our son. _____ was able to avoid paying back child support due to his position of being a _____ student and _____ worker. Throughout the entirety of the case, Judge _____ has been biased and prejudice against me. I have only sought out what is best for our son, _____. If Judge _____ had given me a fair trial, he would see that our son needed treatment, but the petitioner refused due to interference with his personal schedule. That was not in the best interest of our son.