

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-197

Judge:

Complainant:

ORDER

February 16, 2022

The Complainant alleged that a superior court judge violated the law.

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 Christopher W. Ames did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 16, 2022.

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

FOR OFFICE USE ONLY

21-197

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 _____ I filed a petition to establish paternity for my _____ old daughter _____ I filed this petition in _____ County. I followed the instructions the court gave me to get custody of my daughter. My ex girlfriend has relinquished her rights as a parent, I will include all of the documents that or pertinent to this matter with this complaint. I filed a complaint against the respondents attorney _____ with the _____ for his misconduct as well. Case _____ was filed in the _____ court, and the first formally served document that i recieved from the opposing side was not until _____ and it was for a hearing in _____ County, and it was not a response to case _____ it was a new case _____ Case _____ is an attempt to remove my parental rights completely. My daughter, the respondent, and the adoption agency involved are all in _____ County, not in _____ county or _____ I have completed the steps to establish paternity in the county of _____, I have completed the parenting class, and i have even filed a motion to schedule a court date in _____ for case _____ has taken unreasonable and unethical measures to file the same matter in a county outside of the initial county, and outside of where my daughter, the respondent, and the adoption agency reside. He has filed this matter in the _____ Court of _____ and i have filed an application of abatement to the _____ court and a notice of this incident to the _____ court of _____ County. No response or acknowledgement has been provided to me regarding my addressment of both of these cases, from Judge _____ The _____ court of _____ county does not offer an option to file eforms online, and has provided me a range or different and condesending information regarding my rights in this matter. This court barely even has a ediquitee telephone communication network, where most days when i call, i speak to a security gaurd who will tell me no one is there today. Judge _____ is not putting priority to my matter, even though this case involves a minor child, and she fails to acknowledge that I have presidence in this matter since i filed a petition to establish paternity before all other matters in regarding this parental issue. _____ is committing unethical mearsures, and is using legal loop wholes to try and wear my down, knowing first hand that I am a pro se petitioner and that i do not have a law degree. Judge _____ is allowing for these shinanigans to proceed within her jurisdiction, and is not offering me ediquitee remedy and rightsl to respond fairly to case _____ Judge _____ has not addressed my application for an abatement which fails to provide ne ampel amount of time to respond fairly and ediquittely to case _____ The _____ court of _____ is demanding that I be present on _____ to address the matter and to remove my parental rights for my daughter. This court does not offer telephonic court hearings, and has an outdated files and froms communication network. I have followed all of the instructions from _____ County to obtain custody of my daughter and _____ is using unethical loopwholes to wear me down, and trying to drain me of my expenses, my energy and my time. _____ is using his hometown court, that has outdated communication system and provides inediquitte remedys for opposing parties. There is no reason that this case should even continue since, the only one residing in _____ county is _____ the one _____ is representing has relinquished her rights as a parent, so truthfully She is not equpted to even respond properly for case _____ As mentioned earlier, with my initiating this matter on _____ it makes absolutely no sense that I am receiving demand to be present in

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another county before i am getting a trial date or an actual hearing for the first case. It is unethical when i spoke to the _____ earlier today, _____ who was the complaint case manager, kept stating that the venue that the court chooses to take place at is up for the court to decide. This statement is truly ambiguous because i specifically stated to her the importance and the information of both cases, and reaffirmed that i was the one who initiated this case in the first place. Most of all I followed exact instructions given to me by _____ County, because the child lives in _____ county, and so do the respondent, and the adoption agency who is a third party intervenor. No where was it stated to me by _____ or any other court, entity, or human being that, the respondent can file another case, juvenile or superior, in any other county. They told me the exact instructions on how to get my daughter back. My application for an abatement letter has not been formally responded to by the court, and Judge _____ is neglecting to do her job properly and unbiasedly. The amount of stress and the implications of financial loss that i have to endure because are permanent to my overall health. Nobody should have to go through anything like this, and i have spoken to the court several times addressing my concerns with different officials of the county over the phone, while again not providing an ediquette communication system that at least provides me the tools to give a timely response to the courts demands. One official i spokor to told me the court forms and jurisdiction of _____ County and _____ County are interchangeable, this has to be a laicy because i would have been given the same properr tools to respond fairly through the _____ Court online website or communication network, that i did with the _____ network. I have provided proof that this matter is being held in a different county, and i was the one who initiated the matter. My daughter and the respondent, and the adoption agency are also in _____ county.. The dishonorable Judge _____ has neglected to acknowledge evidence that this matter is being held in a different court and i _____ am the one who intitated and petitioned to establish paternity in the first place. This court is damaging my mental health and she needs to be removed from my case. I will be filing a protective order against _____ for threatening my life and wellbeing and by allowing this unethical judge to continue to proceed with a defense that is baseless and groundless. The respondent has relinqushed her rights as a parent, and if what the court needed was proof of that then they could have told me on the phone, and both courts couold have told me that this matter can be tried in a different county, or that the two case bases are similatr in nature and that they cant be tried in both counties, or they cant be tried as superior court case and a juvenile court case at the same time. I will be filing a protective order against judge _____ shortly if there is not a trial date held for the _____ County Case. My daughtert is being concealed from me and is being held by and this court is being case is being navigated through by complete strangers. _____ needs to be removed from my case immediately..

Also when I just called the _____ court to ask how to file a protective order the security officer said it can only be done by coming down 3 to the police station to file it.

Sent via Process Service

ATTORNEYS AT LAW

RE: [REDACTED]

Dear [REDACTED]

I am writing in my capacity as legal counsel for [REDACTED] the mother of [REDACTED]

The purpose of this letter is to inform you that on [REDACTED], an action to terminate your parental rights was filed in the [REDACTED] Court of the State of Arizona, [REDACTED] In and For the County of [REDACTED] Case Number [REDACTED]

Accompanying this letter, you will be served the enclosed copies of the following documents:

1. [REDACTED]

Exhibit A - [REDACTED]

Exhibit B - [REDACTED]

Exhibit C - [REDACTED]

Additionally, please find enclosed copies of Motion to Continue [REDACTED] Initial Severance hearing dated [REDACTED]; Notice of Appearance of [REDACTED], on behalf of [REDACTED] dated [REDACTED] Motion for Agency to Intervene Re: Petition [REDACTED]

[Redacted]

[Redacted]

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IN THE [Redacted] COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF [Redacted]

In Re the Matter of:

[Redacted]

Case No. [Redacted]

MOTION FOR AGENCY TO
INTERVENE RE PETITION FOR
TERMINATION OF PARENTAL
RIGHTS

A Minor Child.

(The Honorable [Redacted])

Real Party in interest/Intervenor, [Redacted]

[Redacted] a [Redacted] in the State of Arizona, by
and through undersigned counsel, pursuant to 16 A.R.S. Rules of Civil Procedure, Rule
24; and A.R.S. 8-533 (A), hereby moves to intervene in the above captioned matter and
respectfully requests this Court grant their Motion and enter the Order which joins them
as a Real Party in interest/Intervenor.

1. This action relates to a minor child born to [Redacted]
[Redacted] (hereinafter the "birthmother"), known as
[Redacted] born on [Redacted] in [Redacted]

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**