

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-206

Judge:

Complainant:

ORDER

June 10, 2022

The Complainant alleged that a superior court judge did not give them adequate time to be heard and had a poor judicial demeanor.

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 complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission member Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 10, 2022.

2021-206

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.

When myself and attorney entered the courtroom, the previous case was still going on. Listening to the case, Judge _____ talked calmly and suggested the parties schedule another session to have more time to discuss the details of the case. She answered all their questions to be sure everyone understood her instructions-then adjourned.

A recess was taken prior to my case, so our case was starting 15-20 minutes late. When the judge returned, she assured us we would get our allotted time but we needed to hurry because she had more cases and she was not going to stay late. She made no offer to reschedule our case or give us more time as she had done with the case before us.

As I had had another case before her years earlier, that case was brought up several times by the plaintiff's lawyer. The judge appeared to remember the earlier case as the plaintiff tearfully testified. They seemed to be able to take all the time they needed. Though the judge reminded the plaintiff's attorney, it was not directly ME he referenced, the evidence would not be entered. He had to be reminded several times, as kept referencing other cases. I was only requesting grandparents visitation and upon this request, the Plaintiff filed suite against me for an Order of Protection. Though I had only been supportive toward the plaintiff, and wished to continue my loving relationship with my granddaughter, she has gone to great lengths to keep me out of _____ life because of how she feels toward my son, _____ father.

At one point the plaintiff suggested I followed, or led her down the street she lived on. I have lived in my home for over _____ (exhibit A) and the last address I was aware of for the Plaintiff was in _____ and that was only because of the large social media presence she once had. I had no idea that she lived in my neighborhood, and she had been there for several months.

After my daughters near fatal car accident where she sustained a fractured spinal column that paralyzed her, Tramatic Brain Injury which had changed her perception of things and given her memory loss, several fractured ribs, a cracked sternum and various other injuries, our lives have changed in a big way. Because of her paralysis, she was an Inpatient in _____ for about _____ learning how to walk and do normal activites of daily living to care for herself as best as she could. I was there many times two to three times a DAY being with her and going to many of her therapy sessions. After she was discharged and she began Outpatient therapy which was three times a week to start. When Covid started, the facility closed to family, allowing patients only to go to the therapy sessions. I took her to _____ returned home, and at the appointed time returned to pick her up and brought us both back home. This I did three times a week, that would be four trips a day, 12 trips a week back and forth to and from physical therapy. (see exhibit B)

I explained the three routes I would alternate taking on my daily four trips back and forth to therapy. The judge seemed to believe I took the road, _____ (where the plaintiff lived) exclusively to spy on the plaintiff and scolded me for that. She called me a liar and made a statement that there was NO OTHER REASON I should be on that Street. The three roads I alternated are all about the same length, but the traffic varies on them daily. (see exhibit C)

2021-206

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Too Many trips on one road does not have to happen when there are alternatives! Judge _____ had no right to assume what the plaintiff was accusing me of was true just because her house happened to be on one of the roads I traveled on during my four daily trips!

NEVER was there any accusation, indication or claim of harm or threats made to the plaintiff or her daughter (my granddaughter), by me, as was acknowledged by the plaintiff. Yet driving down a street in MY neighborhood of _____ is an indicator I am spying on someone I didn't even know lived there, is ridiculous, but that is the unfair judgement made by the judge.

Judge _____ concluded that lots of people love this child but upheld the Order of Protection that was filed against me ONLY after I had filed for grandparents visitation with my youngest granddaughter. Though the plaintiff and I had two conversations as to how to introduce me back into _____ life, as soon as she talked to me and knew I was serious, that is when she filed the OOP documents to keep me out of her daughters life. Because she is angry at my son, (who is in prison) she refuses to let me have a relationship with her to punish him.

Your consideration into this matter would be greatly appreciated. How other cases get more time issued to them, how she can make judgements about the roads I take to therapy, and how she can believe that I only traveled one road and no one else would ever switch routes because they were bored of taking one road all the time. Because of being pushed for time, constantly yelled at that we needed to rush, justice was not accomplished in this case. Because Judge _____ did not manage her time well in the cases before us, we were punished by being berated constantly and told to rush, and saying WE should have asked for more time. This is a very unprofessional manner for a Judge to act, and how COULD justice be done in this manner?

EXHIBIT

A

INSTRUMENT
OFFICIAL RECORDS OF
COUNTY

REQUEST OF:
TRANSACTION TITLE INS CO
DATE: TIME:
FEE:
BOOK PAGE

When Recorded Map No.:

Escrow No.

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations,

A WIDOW

hereafter called the Grantor, hereby conveys to

AN UNMARRIED WOMAN

the following real property situated in _____ County, Arizona, together with all rights and privileges appurtenant thereto;

Book _____ of Maps, Page _____ records of _____ according to the plat of record in _____ County, Arizona.

EXCEPT all gas, oil, minerals and petroleum as reserved in Deed recorded in Book _____ of Official Records, page _____, records of _____ County, Arizona

Subject to current taxes and other assessments, reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated this _____ day of _____

STATE OF Arizona

ss.

County of _____

This instrument was acknowledged before me this _____ day of _____ by _____

Notary Public

EXHIBIT

B

**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.**