

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-320

Judge:

Complainant:

ORDER

March 23, 2022

The Complainant alleged that a superior court commissioner incorrectly ruled on a matter in an underlying family law case.

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 members Denise K. Aguilar and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 23, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

21-320

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.

State of Arizona

Judge granted and Emergency Petition to Mother alleging Father precipitated an event at Mother's home resulting in emergency services and responding to a domestic incident involving Mother and Resulting in admission to

Father called minor child to discuss accountability. Mother alleges in her Emergency Petition Father's call ignited the event

Children's statements contradict Mother's assertion. Both children admit to their roles. Mother used profanity yelling at for 3.5 hours while (older twin brother) antagonized

Their provocation resulted in actions

Judge failed to use prudence in judgement before rescinding Father's rights and awarding Mother sole decisions making related to medial care. Mother's mental health is in question

Events stated occur during Mother's parenting time. Her inability to self-regulate is expressed in the children's decision making

Father presented Judge with more than exhibits supporting Father's claims. He failed to question two teenage boys for accuracy of events before Ruling recklessly

Father's requesting a Congressional Inquiry into Judge rulings based on racial disparities

Request Judge be removed from capacity for no less than days until a thorough Congressional Inquiry/Report can affirm whether he is no longer a hazard to public safety

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Please see Congressional Inquiry

Recipients

Statement attached via Word Doc

COPY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

**SUPERIOR COURT OF ARIZONA
IN
COUNTY**

Name of Petitioner / Party A

Case Number _____

**POST-DECREE TEMPORARY ORDER
WITHOUT NOTICE FOR MODIFICATION OF**

LEGAL DECISION-MAKING (CUSTODY)

PARENTING TIME (formerly "visitation")

OTHER: _____

Name of Respondent / Party B

**THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ CAREFULLY.
IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.**

THE COURT FINDS:

1. INFORMATION ABOUT UNDERLYING PETITION.

A petition for modification of legal decision-making (custody) and/or parenting time was filed on this date:

_____ by PETITIONER

2. EMERGENCY SITUATION. The court has found that an emergency exists and this order must be entered immediately to avoid irreparable harm because:

Someone is about to cause serious bodily harm to another person immediately, OR

The health, safety, and welfare of a person is otherwise in serious and immediate jeopardy as follows (describe):

is SUFFERING FROM MENTAL
HEALTH ISSUES, INCLUDING THREATENING SUICIDE. FATHER
FATHER IS REFUSING TO AUTHORIZE ADDITIONAL
TREATMENT.

3. BEST INTEREST OF THE CHILDREN. This order is made in the best interest of the children whose names and dates of birth (month/day/year) are listed below:

Name: _____	Date of Birth: _____
Name: _____	Date of Birth: _____
Name: _____	Date of Birth: _____
Name: _____	Date of Birth: _____
Name: _____	Date of Birth: _____

THE COURT ORDERS:

1. TEMPORARY MODIFICATION OF LEGAL DECISION-MAKING (CUSTODY) WITHOUT NOTICE IS: DENIED GRANTED AND LEGAL DECISION-MAKING (CUSTODY) IS TEMPORARILY MODIFIED AS FOLLOWS: MOTHER SHALL HAVE
SOLE LEGAL DECISION-MAKING AND MAY
AUTHORIZE MEDICAL TREATMENT SHE DEEMS
APPROPRIATE

THIS ORDER SHALL CONTINUE until this date: _____ unless extended by the court, or by agreement between the parties in writing and filed with this court.

2. TEMPORARY MODIFICATION OF PARENTING TIME WITHOUT NOTICE IS DENIED GRANTED, AND PARENTING TIME IS TEMPORARILY MODIFIED AS FOLLOWS: FATHER'S PARENTING TIME IS SUSPENDED.
THE CHILDREN SHALL BE WITH MOTHER.

THIS ORDER SHALL CONTINUE until this date: _____ unless extended by the court, or by agreement between the parties in writing and filed with this court.

3. OTHER TEMPORARY ORDERS WITHOUT NOTICE:

THIS ORDER SHALL CONTINUE until this date: _____ unless extended by the court, or by agreement between the parties in writing and filed with this court.

4. SERVICE AND NOTICE TO THE OTHER PARTY:
The person who requested this Order shall provide the other party with a copy of the Motion and Order.

5. BOND in the amount of \$ _____ shall be posted with the Clerk of the Court no later than this date: _____ and this time: _____ as security for the payment of costs and damages that may be incurred or suffered by any party as a result of this Order should it be determined the basis of this Order was false or without merit. Bond shall be posted by: (Name(s)) _____

DONE IN OPEN COURT: _____
(Date)

COPY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

**SUPERIOR COURT OF ARIZONA
IN
COUNTY**

Regarding the matter of (B)

Case No. _____

Name of Petitioner

and

**FAMILY COURT
PRE-TRIAL STATEMENT**

Joint (Petitioner AND Respondent)

OR Petitioner (separately)

Respondent (separately)

Name of Respondent

THE ARIZONA RULES OF FAMILY LAW PROCEDURE (ARFLP), RULE 76(C) REQUIRE THE FILING OF A PRE-TRIAL STATEMENT.

1. In this case, the parties have conferred and are filing a Joint Pretrial Statement, **OR**
- This is a Separate Pretrial Statement** submitted by Petitioner or Respondent (as indicated above) because:
- Despite a good faith effort to do so, we were unable to file jointly; **OR**
- Due to domestic violence I am not required to file jointly. **(ARFLP Rule 76 (C) (1))**

2. THIS IS AN ACTION FOR:

- | | |
|--|--|
| <input type="checkbox"/> Dissolution (Divorce) | <input checked="" type="checkbox"/> Legal Decision Making (Custody) and/or Parenting Time |
| <input type="checkbox"/> Legal Separation | <input type="checkbox"/> Grandparent Visitation |
| <input type="checkbox"/> Annulment | <input type="checkbox"/> Modification of Legal Decision Making (Custody) and/or Parenting Time |
| <input type="checkbox"/> Paternity/Maternity | <input checked="" type="checkbox"/> Support (Child Support or Spousal) |
| <input type="checkbox"/> Other: _____ | |

3. **TRIAL:** This matter is currently scheduled for trial on _____ (Date)

Before the Honorable _____ (Name of Judge/Commissioner)

I / We believe the trial will take .5 hours **OR** _____ days.

**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.**