

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-328

Judge:

Complainant:

ORDER

June 10, 2022

The Complainant alleged that a superior court judge violated Rules 1.1, 2.2, 2.3, and 2.5 of the Code of Judicial Conduct.

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 Colleen E. Concannon and Christopher P. Staring did not participate in the consideration of this matter.

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

COMPLAINT ON JUDGE

COUNTY SUPERIOR COURT

Comp
2021-328

RE: Case _____ & Respondent - _____

To the Judicial Commission,

I have been close friends with _____ and her family for over _____.
Ours is a long-standing friendship, and I have found _____ to be a
nurturing individual, an upstanding and law-abiding citizen and a dedicated mother
to her daughter _____.

Throughout this divorce and custody case over the past many months, I have
served as a court watcher. From my perspective, the proceedings have been
agonizingly slow, punctuated by weeks of waiting for timely communication from
Judge _____ on rulings related to reunification of mother and child. _____ is an
incredible mother and an attentive caregiver to her daughter. It is painful to see
them apart for even one more day. _____ has stage IV cancer which has
metastasized to other parts of her body. She is currently undergoing chemotherapy.
It seems a cruel and unusual punishment to keep this wonderful mother away from
her beloved daughter at this juncture.

_____ and _____ can ill afford such an excruciating wait to be reunited in person. Time
is of the essence. The inhumane hoops that this mother has been made to jump
through in order to win the right to be with her daughter are unconscionable. From
the excessive _____ cash bond required of _____ (an _____) by Judge
_____ in order to resume unsupervised visitation with _____ to the demand to use
(a _____) as an acceptable
venue at which to spend time with her daughter in person during a global
pandemic, to being asked to appear in court in person during this time of COVID.
Such requirements are both perplexing and disturbing.

It is incomprehensible that in a court of equity one party is denied physical contact with her child for over one year while the other party appears to be in violation of the court's parenting orders without repercussions. Please allow this mother to be heard impartially and to have her day in court without bias and prejudice. I implore this body in haste to find a judge who can preside over this case fairly, decisively and in a more timely fashion than has been the case up until now, and to lift the restrictions that have resulted in a separation between mother and daughter. I do hope that this letter will be seen as a positive factor in restoring custody, as the Commission considers this matter in relation to excessive bias (canon 1) and the absence of prompt decision-making (canon 2).

Please do not hesitate to contact me should you require further information. I can be reached at _____ or at the following email address:

Sincerely,