

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 21-381

---

Judge:

Complainant:

---

**ORDER**

August 10, 2022

The Complainant alleged a superior court commissioner failed to rule on a time-sensitive matter that was pending and did not adequately address the opposing party's failure to pay child support arrearages. Complainant further alleged the judge demonstrated poor demeanor and treated her disrespectfully.

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 members Roger D. Barton, Joseph C. Kreamer, and Christopher P. Staring did not participate in the consideration of this matter.

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

21-381

**COMPLAINT AGAINST A JUDGE**

Name: \_\_\_\_\_ Judge's Name: \_\_\_\_\_ Commissioner

**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.

I served the petitioner with child support enforcement papers. At our first hearing I brought up my daughters passport to Commissioner \_\_\_\_\_ She stated that I did not file proper paper work for that issue and I would have to file and serve new papers. I did exactly that. A Judge was assigned to the case in \_\_\_\_\_ I was informed in \_\_\_\_\_ that there was a conflict with Judge \_\_\_\_\_ The case was then assigend to Judge \_\_\_\_\_ On \_\_\_\_\_ I received an email stating that my hearing on \_\_\_\_\_ was vacated as Commissioner \_\_\_\_\_ wanted to hear all matters regarding the case. On \_\_\_\_\_ I attended what I thought was now the child support enforcement hearing as well as the passport hearing regarding my minor child. At the end of the hearing I asked Commissioner \_\_\_\_\_ about the passport hearing. At that time she informed me that she has within 60 days to make a ruling on anything, ' \_\_\_\_\_ Commissioner \_\_\_\_\_ clearly knew the issue was regarding a passport. With her abrubt, condecending demeanor, and cutting me off the hearing ended. After the hearing I called the \_\_\_\_\_ Court and asked if Commissioner \_\_\_\_\_ had the authority to rule on my contempt of a passport issue regarding my minor child. I was told no. I called Commissioner \_\_\_\_\_ assistant and asked what happend and she had no idea. I called Judge \_\_\_\_\_ said they received notice from Commissioner \_\_\_\_\_ to vacate my hearing on \_\_\_\_\_ I do not understand how a commissioner vacates a hearing for someone else over a separte matter. The contempt of passport papers were filed separately. No hearing has been had to this date. How, when a defendant comes into court, does a commissioner dismiss that person knowing she has no authority to rule on a passport while making a statement she will rule within 60 days on anything presented to her knowing she has no authority to do so with the word passport specifically being used? My hearing is delayed once again. Judge \_\_\_\_\_ mav make me serve the plaintiff again which I was only able to do so in the first place over Commissioner \_\_\_\_\_ order for me to mail the plaintiff documents regarding the minor child so that I could include the contempt of passport papers in them.

This has delayed me getting a passport for my duaghter and may make it impossible now. Commissioner \_\_\_\_\_ had no right to vacate my hearing for me on something she has no ability to rule on. Had Commissioner \_\_\_\_\_ even looked at the paperwork I submitted to her office as evidence she would have seen that all the information was in regards to a minor child's passport with the attached court order for me to obtain it. Obviously she had no regard to the documents I submitted as one would hope she would have realized had she taken the time to even as much as glance at the documents.

It is Commissioner \_\_\_\_\_ fiduciary responsibility to her community to not only look at the documents but hear what a defendant has to say rather than cutting them off especially when envolving a minor child.

At the end of the court hearing on \_\_\_\_\_ I pointed out to Commissioner \_\_\_\_\_ that the petitioner still had not submitted his AFI or tax returns to the \_\_\_\_\_ Commissioner \_\_\_\_\_ ordered the petioner to submit them prior to the next hearing on \_\_\_\_\_ It is ordered that we exchange information. By Commisisoner \_\_\_\_\_ giving the plaintiff until \_\_\_\_\_ to submit his documents it is transparent that she is merely looking for compliance. Rather than looking at the contents of those documents. It would seem more fiduciary for her to order the documents and

21-381

**COMPLAINT AGAINST A JUDGE**

Name: \_\_\_\_\_ Judge's Name: \_\_\_\_\_ Commissioner

**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.

the exchange of the documents with the \_\_\_\_\_ the commissioner's office and myself by a \_\_\_\_\_  
certain date prior to the hearing date of \_\_\_\_\_ I have contacted the \_\_\_\_\_ office  
and they are not able to provide me with the petitioners documents. The petitioner will not release them to  
me.

I understand that the petitioner is in compliance now. However, I have submitted multitudes of exhibits showing his ability to pay that have not been addressed or even as much as questioned by Commissioner

The following have been submitted:

A photo showing the picture of his front yard including multiple assets with his name on it that he has admitted to being his in front of Commissioner \_\_\_\_\_ (was allowed to be presented to Commissioner \_\_\_\_\_) - Yet \_\_\_\_\_ can not locate any assets since they recovered \$ \_\_\_\_\_ from the petitioner's bank account

I submitted a criminal charge that was not allowed - My sentence was not even allowed to be completed. It demonstrated the plaintiffs ability to travel, hire legal counsel as an attorney was not appointed for him, thus proving his ability to pay and unwillingness to pay unless forced to so.

I submitted a good faith email from the petitioner showing his ability to not only pay but to catch up in approximately one year.

I submitted a text message showing that petitioner has more assets than I know about.

I have filed contempt of court papers \_\_\_\_\_ and the \_\_\_\_\_ has been working on behalf of my daughter and myself for years which also costs tax payers money. As of \_\_\_\_\_ by arrears balance is \$ \_\_\_\_\_ While I understand that Commissioner \_\_\_\_\_ can only enforce the child support order one would think questions would arise regarding all or the above.

In light of this court hearing coming to a conclusion, the petitioner has sent messages that he will no longer see his daughter to insure that I never have the ability serve him again in the future. That exhibit was page \_\_\_\_\_ submitted to Commissioner \_\_\_\_\_

Since Commissioner \_\_\_\_\_ cancelled the scheduled hearing for \_\_\_\_\_ now Judge \_\_\_\_\_ wants me to serve him again which I already did in the first place.

This has delayed my hearing and quite possibly made it impossible for me to fulfill my court order in regards to my daughters passport. The negligence and incompetence level I have witnessed here is astounding.