

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-101

Judge:

Complainant:

ORDER

The Complainant alleged a superior court commissioner did not allow her to speak and threatened her with jail during family court hearings.

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.

After review, the Commission found the commissioner violated Rule 1.2 when he suggested to complainant's opposing party that he could contact law enforcement. The commissioner also told the complainant that her statements could form the basis of a future criminal complaint, which had a chilling effect on her ability to explain her side of the disputed matter to the court. While this was improper under Rule 1.2 of the Code of Judicial Conduct, the Scope Section of the Code provides that not every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the Complaint pursuant to Commission Rules 16(b) and 23(a), but to issue a warning letter to the judicial officer to avoid making similar statements in the future.

Commission members Roger D. Barton, Delia R. Neal, and Christopher P. Staring did not participate in the consideration of this matter.

Dated: May 31, 2023

FOR THE COMMISSION

/s/ Joseph C. Kreamer
Hon. Joseph C. Kreamer
Commission Vice-chair

Copies of this order were distributed to all appropriate persons on May 31, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**22-101****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.

I received a petition from my ex husband _____ that was filed on the date of _____
It was a petition to enforce custody. Judge _____ and I had a telephonic court date on _____
I had moved to _____ with my children, _____ and I had shared custody and even
though we had been in _____ since _____ and _____ had told me numerous times to take full custody
he decided to take me to court. Judge _____ threatened me, told me he was going to have me arrested and
also threatened me into not speaking, he made a judgment not even knowing my reasoning behind the
move or the events that had taken place beforehand. All that judge knew was what _____ had told
him, what kind of judge makes a decision just off of what one party has said? My phone was on speaker
and I had two people that sat there and listened to him not let me speak and threaten me. Judge _____ did
not rule in fairness, he is sexist and discriminated against me because I am a woman. On _____
we had another telephonic meeting, again with my phone on speaker because at this point I know I
need someone else to hear the threats. _____ had stated multiple times that he wanted to create a
new parenting agreement with me and not enforce the current custody agreement. Judge _____ kept
repeating that he could throw me in jail if _____ wanted him to, why would he try to provoke an unsafe
situation? That is not the behavior a judge should exhibit. I would like to again point out that he is saying
these things and still making threats, knowing nothing about our situation which is unfair. he told _____ that
he is closing the case without prejudice so if he wants to refile and put me in jail he will do it. What do you
think that does? it creates a hostile parenting environment, guess who called me after that?
threatening to put me in jail, screaming at me so loud the kids can hear him calling me names and stating
that he's the boss now and that I have no say so, all because that judge sat there and kept me quiet and
threatened me. I do not feel safe in his courtroom.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

| |
|--|
| |
|--|

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.