

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 22-258

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Judge:

Complainant:

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**ORDER**

May 18, 2023

The Complainant alleged biased and improper rulings by a superior court judge in a family 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 member Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 18, 2023.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY****2022 - 258****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.

Commission Members, First and foremost, I want to thank you for taking the time to address my concerns.

I have a very strong reason to believe that my divorce proceedings have been egregiously handled dating back to

In short: On \_\_\_\_\_, my attorney \_\_\_\_\_ and I participated in a Resolution Management Conference (telephonic) before the Honorable Judge \_\_\_\_\_. Also present were my husband \_\_\_\_\_ and his attorney, \_\_\_\_\_. The conference was mainly uneventful. When I received the minute entry for the \_\_\_\_\_ conference, on the document was another Telephonic conference that was scheduled for \_\_\_\_\_ with Judge \_\_\_\_\_. I found it odd another phone conference was scheduled later with a different Judge. I don't recall much of the hearing.

Note - as of recently, I believe that my ex-husband has a personal connection to Judge \_\_\_\_\_ through their mutual friend \_\_\_\_\_ worked for \_\_\_\_\_ at the time that Judge \_\_\_\_\_ served as a prosecutor for \_\_\_\_\_ County. It also appears they graduated from the same high school. The \_\_\_\_\_ court date with Judge \_\_\_\_\_ presiding could not have gone worse for me. In spite of my providing pictures, documents, paystubs, videos, emails and anything I obtained since retaining \_\_\_\_\_ I learned at this hearing that not much was submitted as exhibits to the court. I thought the hearing was about the \_\_\_\_\_ that I noticed at the house months after my husband moved out. I found the camera took it down and ran under water because it wouldn't shut off and I have no idea who placed it or how long it was there. Destruction of community property was what I was told we were there for on this day. I had no idea we were there to mediate our divorce but rather to answer an injunction filed by my ex-husband's attorney regarding surveillance cameras that had been installed at our home and without my knowledge that I broke. Additionally, my attorney emailed me and told me to meet him 30 minutes before that day's court proceedings in order for him to go over some questions with me and to ensure that I was prepared. When we met that day, I asked him what questions he thought would be asked of me and he responded that he did not know the questions beforehand and then informed me, for the first time, that he would be putting me on the stand because it would be best for the "\_\_\_\_\_". This sudden turn of events indicated to me that something sudden motivated the change in my attorney's plan for my representation that day, and the what was to be a simple injunction hearing regarding my husband's and my marital home turned into my taking the witness stand and being subjected to \_\_\_\_\_ barrage of questions. My attorney did try to intervene several times during these proceedings but his few attempts were mostly rejected by Judge \_\_\_\_\_. Furthermore, \_\_\_\_\_ did not want me to look at my attorney throughout this proceeding and told me multiple times to only look at her. Judge \_\_\_\_\_ was upset that my pay stubs were not submitted. I wanted to tell Judge \_\_\_\_\_ that I gave them to my attorney, but I thought it would be disrespectful and I did not want to place any blame on my Attorney. When it was time for my husband to take the stand, my attorney never brought up anything we discussed for months and there was so much that should have been mentioned. I walked out of court that day completely confused as to what happened. My attorney apologized for the paystubs not being there and took \_\_\_\_\_ off my bill. Then told me it was hometown politics. I didn't understand what he meant at the time.

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After that hearing I started to ask a lot more questions. I started to look into things myself. I found information that the forensic accountant didn't find. I paid these gentlemen a lot to help me and they overlooked so much. It was frustrating. My attorney finally told me the case was causing him too much stress and I should find someone else. I owed him \$ \_\_\_\_\_. He told me not to pay him, but take the money and find another attorney. I had a settlement conference with Judge \_\_\_\_\_ in less than a week. I wrote Judge \_\_\_\_\_ asking him for a continuance. I explained that I needed time to retain an attorney because I didn't feel it was in my best interest to come to court without proper representation. Judge \_\_\_\_\_ denied my request. I had no attorney for the settlement conference. After that day, I needed to find someone quickly. I obtained a new attorney just in time for a deposition requested by \_\_\_\_\_

My attorney wanted to have a deposition with my husband, but his request for more time was denied. The hearing with Judge \_\_\_\_\_ was scheduled for \_\_\_\_\_. I told my attorney prior to the case, be warned Judge \_\_\_\_\_ does not care for me. He said that's not true, it's not personal. I agreed. During the case my attorney took me into the hallway and told me, "

" He said he was watching everything and based on what he was observing, if we bring out evidence, it won't end well for me. I believed him. I walked out of the courtroom with exactly what my husband was saying I would get from the time he filed for divorce, but it was actually less. Judge \_\_\_\_\_ also told my attorney that he didn't believe me and I should be happy with what I got. I have no idea what he didn't believe, because I was never able to speak or show what my husband actually did the while we were married. I had no voice and no one cared. Judge \_\_\_\_\_ did take a moment when he came into the courtroom that morning to make sure my husband was all good with his \_\_\_\_\_

Myself and my attorney took notice of that. I tried to reach my attorney for the past two weeks, to see what is going on. I wanted to go over some paperwork with him. I called, emailed, and left messages. He had a death in the family and was \_\_\_\_\_ My father died on \_\_\_\_\_ so I \_\_\_\_\_

understood. When I finally did speak with him yesterday, he seemed tired and I had too many questions that I could tell he didn't want to answer. I don't understand how this could be happening. Something odd is happening that would cause two different attorneys to not follow through with helping their client.

I humbly request that you examine the personal connections that existed prior to my case being assigned to Judge \_\_\_\_\_ in addition to the treatment I received in what is already a painful and stress inducing time of my life. I believe that it is only fair that my case be fully heard in the courtroom of an unbiased representative of the court.

Thank you for your attention to this matter.

Respectfully,