

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-281

Judge:

Complainant:

ORDER

March 1, 2023

The Complainant alleged improper and biased rulings by a superior court judge hearing 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 Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 1, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

COMP

22-281

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____ Judge

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.

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: _____ Judge

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.

My biggest complaint is that I simply cannot allow 15d, highlighted directly below to stand.

Pursuant to A.R.S. §25-403, the Court FINDS as follows:

1. The past, present, and potential future relationship between the parent and the child.

Both parents have a past relationship with the child. Mother has a present and future relationship with the child. Father has not seen the child since [redacted], when there was an altercation at the home. As a result of the altercation, Father was found guilty/plead no contest to disorderly conduct per [redacted]

2. The interaction and interrelationship of the child with the child's parent or parents, the child's siblings and any other person who may significantly affect the child's best interests.

The police report clearly states that my wife [redacted] and I had the 'exact same story' when it came to the report. We don't have the same story anymore. Therefore one of us changed their story. In the [redacted] my wife [redacted] lied under oath in order to extort everything from me...the home, my relationship with my daughter that I haven't seen in [redacted] years, the dog etc. It's one thing for Judge [redacted] to not refer my wife to the [redacted] for perjury. However, she seems to insist I am guilty of what would be a felony in line 15d! Judge [redacted] in divorce court does not get to decide that I committed a felony! My misdemeanor case is completely finished. The reason I pleaded guilty to is because Mr. [redacted] stated in an email that all [redacted] would have to do is say she felt apprehensive and then I would be guilty of [redacted] and that would effect custody. Even with pleading guilty I haven't seen or talked to my daughter in [redacted] years. I didn't plead guilty to disorderly conduct to only now years later be accused and convicted of what would have been a felony by a divorce court judge!

It is wholly inconsistent to state that I plead guilty to disorderly conduct on one page and on another page accuse me of what would have been a felony!

Furthermore, it is wholly inconsistent to say that the domestic violence was NOT significant and the very next sentence mention the protection order in which my wife stated [redacted] that I tried to [redacted] her. Typically trying to [redacted] someone would be significant [redacted] would it not?

Judge ; having signed the to begin with, is now 1.) being inconsistent within the document as well as in a single paragraph in terms of her description of the 2.) refusing to look at her own poor judgement when initially signing the protection order, 3.) refusing to refer to the for perjury and 4.) accusing and convicting me of a crime that not even the criminal court did!

This unethical conduct is reprehensible! It weakens both the criminal court and the integrity of the divorce court.

Is it Judge prerogative to make up criminal felony charges; decide on whether or not the party is guilty and then issue decisions based on those fallacies and prejudices?

Is this justice? Is this ethical? Is this the way your courts are designed to work?

This is the complaint I've issued against Judge it would should have been a very simple case.

So, when this commission decides that Judge did nothing unethical it will also be deciding that trying to someone is NOT SIGNIFICANT and that is utterly ridiculous! But that is the statement Judge makes in this under advisement ruling.

IN THE

COURT OF THE TOWN OF
IN AND FOR THE COUNTY OF
STATE OF ARIZONA

)	
)	
Plaintiff.)	ORDER
)	
Vs.)	Docket#:
)	
)	
)	
Defendant.)	
)	

Entry of Judgment in the above-entitled matter was delayed pursuant to an "Order Delaying Entry of Judgment", part of the record hereof.

COMES THE COURT and finds Defendant has complied with the conditions of the said "Order Delaying Entry of Judgment".

THEREFORE, IT IS ORDERED THAT the delayed Judgment is set aside and the charge(s) originally alleged be DISMISSED with prejudice.

Done this ____ day of _____, ____.

Copy of the forgoing mailed/delivered
This ____ day of _____, ____ to:

**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.**