

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-317

Judge:

Complainant:

ORDER

April 12, 2023

The Complainant alleged improper legal 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 April 12, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2022-317****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 _____ Petitioner was Originally before Judge _____ for my child parenting plan which started in _____ Since _____ of _____ took over as our _____ when I filled my 3rd motion to enforce parenting plan against _____ In _____ found and held _____ in Contempt of the Parenting Plan stating that if she violates again that in a change would be aloud to filled with the courts. (See Attached Final Orders _____ - I filled a motion to Enforce as _____ was still not Complying and attempting to move jusridiction to _____ I had to appear in _____ Courts as I was not aloud to appear via ZOOM. In court I proved that _____ was in contempt and that jurisdictions should remain in _____ Judge ordered that the case not be moved till the current motions in place in _____ be resolved. We had a court date in _____ for _____ for a 30 min Evidentiary Hearing to which due to retaining Council was extended till _____ on the _____ filled a motion to contiune so that we could proceed further with _____ as aloted by _____ and She needed more time to prepare for court. On _____ in Open Cour _____ aloted the continuance till _____ but would not consolidate for any future fillings as _____ Spoke with _____ on _____ in open court and is allowing _____ to take Jurisdiction. (See Attached). Again only allowing a 30 min proceeding. (See Attached) On _____ we appeared for our hearing and _____ again brought forward to that _____ still had not Purged her Contemps and that allowing the case to move to _____ was unfair and uncalled for due to mental and finacial strain of myself. She argued that this is now the 3rd time in less then _____ I have had to bring _____ to court just to follow a parenting plan that is allowing me to be in my daughters life, that with out this plan I would never see my daughter. At the end of the 30 Min proceeding _____ once again found _____ guilty of Violating the parenting plan by withholding information form me and interfering with my visitation time. She ordered that relingish her _____ with the minor child to me to make up for lost time. and that both parties set up a _____ Accout. She is still Alowing the State of _____ to take jurisdiction (See Attached)

I feel that _____ is not wanting to handle any cases that were handed to her from _____ and this is her way of passing it off. This is not RIGHT!!

I feel that I was denied my right to a fare Trial by denieing our attournys request for more time as she stated 30 min is not enough time to present evidence;and aloting only 30 min for an evidentiary hearing I was denied the right to file for Legal Descion modification that _____ stated would be aloud, when I have been the Petitioner from the beginning.

I was NOT NOTIFIED that there would be an open court phone conversation with _____ on the _____ Which means that I had no way to represent or voice my opions on the case being moved. I found out via _____ when she filed to extend our hearing time.

_____ then didnt sign of on the final orders till _____ Why almos _____ later? not Okay Why is This judge allowing a case to be relocated when the respondant has been found in Contempt and is still in Contempted to another state? Are her Contemps just gone now? this is not right. had it been a criminal case it wouldnt just be allowed to be moved. I have fought _____ so much just to be in my daughters life and now _____ just relingishes the case while the respondant is in contempt. I WAS NOT GRANTED A RIGHT TO A FARE HEARING, I WAS NOT GRANTED AMPLE TIME FOR MY VOICE TO BE HEARD, I WAS NOT GRANTED MY ABILITY TO FILE LEGAL DECISION MAKING, THE COURTS ALLOWED A CASE TO MOVED WHILE RESPONDANT IS IN CONTEMPT. THIS LEGAL SYSTEM AND FAILED ME BECAUSE SHE DIDNT WANT A CASE THAT WASNT HERS FROM THE START.

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ATTACHED IS THE ORIGINAL ORDER.
FINAL ORDERS FROM
FINAL ORDERS FROM
NOTICE OF HEARING FOR
FINAL ORDERS FROM
ORDER FOR HEARING

COURT
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COURT
COURT

if any more information or details are needed please reach out to me at

or by email at

RETURNER

FILED
TIME

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BY: _

NY

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

In re the Matter of:

CASE NO.

Petitioner,

vs.

STIPULATED ORDER RE:
RELOCATION, LEGAL DECISION
MAKING, PARENTING TIME AND
CHILD SUPPORT

Respondent.

This matter was set for Trial on All parties and counsel
appeared at the time of the hearing to place the Stipulation on the record.

The Court has been advised that the parties, by and through Respondent's
counsel, have informally conferred with one another and have reached a stipulation.
The Court, having been advised of the parties' settlement through Stipulation, and its
terms and conditions, finds that the Stipulation is not unfair as to the disposition of the
issues included within the Stipulation, and that the parties' agreement regarding Legal
Decision Making and Parenting Time is in the best interests and welfare of the parties'
minor child.

The Court, having considered the terms of the parties' stipulation regarding legal
decision making, parenting time, and child support, hereby adopts the stipulation of the
parties and enters its Orders in this matter as follows:

1. The parties are awarded Joint Legal Decision Making over the parties
minor child, born Both parties are to provide
copies of all documents to the other parent that are provided to them by
medical professionals and schools within 24 hours of receiving the
documents. To also notify the other parent of any medical emergencies,

1 Dr's Appointments, and school meetings when scheduled.

2 2. The Respondent/Mother will relocate with the minor child to no
3 sooner than

4 3. Until Respondent/Mother relocates, the Petitioner/Father would exercise
5 the following unsupervised parenting time:

6 a. Every Thursday from 1pm, Petitioner would pick up from
7 school and will drop off at school Friday morning.

8 b. Every Tuesday from 2:30pm, Petitioner would pick up from
9 school and will drop off at school Wednesday morning.

10 c. Every other Friday, Petitioner would pick up from school and
11 will drop off at school Monday morning. Petitioner/Father's
12 "weekend" parenting time begins

13 d. The overnights will begin with one overnight the first week (week of
14), two overnights the second week (week of
15), three overnights the third week (week of
16 and by the fourth week (week of) Father will have all
17 overnights listed.

18 e. Petitioner/Father is required to take to all
19 racing/practice during his parenting time. If he is unable, the parties
20 will communicate to ensure does not miss practice and/or
21 races and will adjust the parenting time schedule accordingly for
22 Respondent/Mother to take to practice or races if
23 Petitioner/Father is unable.

24 4. Petitioner/Father and will immediately be enrolled in reunification
25 therapy with a new counselor in which the parties agree upon.
26 Reunification therapy is not required and Petitioner/Father will do his best
27 to select a counselor and work around his work schedule.

28 5. would remain in individual counseling. All parties will take into
account any recommendation by the counselor regarding
reactions to overnights with the Petitioner/Father.

- 1
- 2 6. After Respondent/Mother relocates to Petitioner/Father would
- 3 receive the remainder of the summer with will relocate to
- 4 no later than ten (10) days prior to the start of school in
- 5
- 6 7. Once Respondent/Mother relocates Petitioner/Father would exercise the
- 7 following long distance parenting time as follows:
- 8 a. Christmas break
- 9 i. Respondent/Mother receives entire Christmas break
- 10 ii. During odd years, Petitioner/Father receives entire
- 11 Christmas break;
- 12 iii. During even years starting in Respondent/Mother to
- 13 receive majority of Christmas break, with Petitioner/Father
- 14 receiving one week of Christmas break (Mother to select
- 15 Father's week of parenting time in even years).
- 16 b. Every Fall break/Thanksgiving - beginning Saturday of break to
- 17 Saturday before school.
- 18 c. Every Spring Break - Saturday through Saturday
- 19 d. Summer Break - the 1st weekend of June through the end of the
- 20 third week of July (leaving one week before school starts for the
- 21 Respondent/Mother)
- 22 e. Petitioner/Father can exercise additional parenting time in
- 23
- 24 9. Petitioner/Father could exercise parenting time with on his birthday
- 25 and birthday in
- 26 10. Respondent/Mother would exercise all other parenting time not specifically
- 27 awarded to the Petitioner/Father.
- 28 11. Petitioner/Father would be entitled to daily telephone contact with
- and Skype or Facetime 3 times per week.
12. Neither party will pay child support to the other. Respondent/Mother would

**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.**