

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 22-327

---

Judge:

Complainant:

---

**ORDER**

August 1, 2023

The complainant alleged biased treatment and improper legal rulings by a superior court judge hearing a juvenile 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 members Denise K. Aguilar and Joseph C. Kreamer did not participate in the consideration of this matter.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY****2022 - 327****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 have numerous concerns regarding how I am treated and the obvious bias that Judge \_\_\_\_\_ shows against me when presiding over my dependency case. I feel she is bias against me because I have a history of substance abuse although there has never been an instance where I have EVER neglected or abused my son. She speaks in a very annoyed tone and blatantly violates the law in her rulings. She never lets me finish my statement if I have something I would like to bring to her attention because she cuts me off and ignores anything I have tried to say in court and is all around dismissive of me and any concerns/complaints I may have regarding \_\_\_\_\_ or the handling of my case. It is quite obvious if you listen to the recordings from my hearings for which I have listed the dates of specific incidents in my complaint below.

So my \_\_\_\_\_ case was opened because my ex, who is my son's father, was arrested for child sex trafficking on \_\_\_\_\_ but my son was not a victim in his case and I had no clue he was committing those crimes. Furthermore, I had my son \_\_\_\_\_ of the time up until my ex was arrested, and luckily when my ex was arrested my son was in my care. I cared for my son until \_\_\_\_\_ got a judge to sign off on a dependency petition without \_\_\_\_\_ ever coming to investigate my living situation with my son. In fact, in the petition, the \_\_\_\_\_ Investigator alleges she was unable to locate me and my son even though she has our address in the petition but never attempted to come to check up on us. Judge \_\_\_\_\_ was not the one who signed off on the original petition but she has been the judge presiding over my case beginning after my son was removed from my care.

On \_\_\_\_\_, Judge \_\_\_\_\_ oversaw my Initial Dependency Hearing. At that hearing, the judge was aware that I had not been in contact with my attorney yet in my case and furthermore, there was a stand-in attorney representing me during this telephonic hearing. I was a few minutes late to the hearing because the petition indicated the hearing was in person and no one informed me otherwise so I finally called in about \_\_\_\_\_ minutes after the hearing was set to begin and I was allowed to disconnect and speak with my substitute attorney \_\_\_\_\_ minutes really fast before we moved forward with the hearing, which was nowhere near enough time to go over the details of the case so I briefly gave her a synopsis and we proceeded with Initial Dependency Hearing, wherein I requested a Temporary Custody evidentiary hearing so the judge could decide if an out-of-home dependency was appropriate for my case.

Well, the judge decided that she was going to move forward with the evidentiary hearing that same day after the Initial Hearing, knowing I was not prepared nor was my attorney prepared to represent me since she wasn't my actual attorney and I had \_\_\_\_\_ minutes to bring her up to speed. In addition, the minute entry for that hearing states we took an \_\_\_\_\_ minute recess between the two hearings but I do not remember that being the case (even if we did take a \_\_\_\_\_ min recess that was not enough time to prepare for an impromptu evidentiary hearing). During the hearing, there was no evidence that I was using drugs at that time and no accusations against me of abuse or neglect but the judge still decided that it was in my son's best interest to be removed from my care.

After her ruling, I asked her how I abused or neglected my son to make removing him necessary. Her reply was that she was " \_\_\_\_\_ " (despite no evidence of that being the case) and she concluded with " \_\_\_\_\_ "

**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.

To be clear, substance abuse in and of itself is not a reason to remove a child from the home according to Arizona state law, and also my attorney later informed me of the same thing. But in reality, there was zero drug use going on in the home or by me period at the time leading up to the removal of my son, for which I gave the Investigator evidence.

She clearly was going to rule against me no matter what was presented at the hearing and that is why she didn't feel it was necessary to give me time to prepare with my attorney.

The judge also allowed my son's paternal grandfather to become a party to the case after he has been accused of abusing my son in the past and during our last case the judge ordered the grandfather off of the court property and had a restraining order and an order to not trespass on court property for a year because of his behavior in court. There was also no one in the case who was in support of the paternal grandfather being a party to the case because of his abusive history.

During hearings after the grandfather was allowed to become a party to the case, the grandfather would interrupt the judge and ask her if he could make a statement, and not only would she allow him to speak but would allow him to finish his statement almost every time he spoke up. There were other occasions where the judge asked my ex, my son's father, his opinions or if he had anything to add during hearings and allowed him to finish his thoughts as well. My ex is currently in jail awaiting trial for his child sex trafficking case. I rarely spoke up or requested to speak during hearings but there were a couple of instances where I needed to inform the judge of something and both times she cut me off before I finished speaking, was very rude in her tone as well as in the words she used to address me, and never let me finish my statements while making me feel disrespected and ignored.

One instance was during the hearing on \_\_\_\_\_, which was set to discuss my son being moved for a second time to a third family member's home. I was never informed nor was my attorney about removing my son from the first placement's home and I have the legal right to participate in the Team Decision Making meeting when things of that nature happen and be informed about where my son is living and how he is doing medically and emotionally. I brought up to the judge that I was never informed about my son being moved that first time and before I could finish telling her my concern she interrupted me and insinuated that I have no right to be involved in my son's care and belittled me for my son being removed. Not only did she treat me with serious disrespect and not hear me out about an important issue but it is my right according to the law that I am still involved in my son's medical care and my rights are intact despite him not being in my care at that time. Her insinuation made it sound like I had already lost my rights to my son which is not the case. Earlier in that same hearing, she heard from my ex and the grandfather and had no problem allowing them to finish their statements before moving on with the hearing.

On \_\_\_\_\_ I had my attorney inform the judge that I wanted to request a new attorney because my attorney refused to file with the court the solid evidence I have that \_\_\_\_\_ falsified drug test results for a hair follicle test ordered for my then \_\_\_\_\_ year-old child, among other things he refuses to file. I got out the part where I have evidence that \_\_\_\_\_ falsified the hair follicle test

results and before I could finish my statement the judge cut me off and denied my request without even asking what I was talking about, evidence that falsified drug test results. She wasn't even listening to me clearly and just ruled against me in a voice that was condescending and aggressive with an attitude like she is annoyed just hearing my voice. That is how I am made to feel with the way she speaks to me.

Finally, in my attorney filed a Rule 59 motion, which is my request to have my son returned to me immediately upon the conclusion of an evidentiary hearing. Right after filing the Rule 59 motion, the paternal grandfather's attorney filed a motion to be placement for my son, in an attempt to battle me for physical custody of my child. The judge set my hearing for but decided to combine my Rule 59 hearing with the grandfather's hearing. My attorney objected but she refused to separate the two hearings. Having the two hearings together not only caused a lot of confusion in my motion but took the focus off my motion with everyone spending more time and giving more attention to testifying against the paternal grandfather becoming placement. The first day of the combined hearings was set for hours worth of time but it had to be continued multiple times when my Rule 59 motion would have been an easy hearing that would have concluded on that first day. We didn't get to finalize our positions and have the judge make a ruling until months after the initial hearing was scheduled. How was that appropriate to combine the mother's motion to get her child back with the grandfather asking to be placement for my son? It would have made more sense to deal with my motion and then if it was denied, the grandfather could have his hearing.

In addition, right in the middle of my testimony on the second day of our combined hearings, mentioned that they were considering my boyfriend as a safety monitor in order to potentially bring my son home, and because of that statement, the judge stopped the hearing that day and rescheduled it a couple of weeks out to give time to do their investigation into my boyfriend. No matter what the decision was that made, the judge was still required to handle my motion and caused even more of a delay. I really was given no hope that the judge was taking my case seriously whatsoever and feel she looks down on me for my struggles with drugs. She also has failed to follow the law on multiple occasions as well as the Code of Judicial Conduct and it has really caused me to feel defeated even before my case is changed to severance. Her attitude has embarrassed me during hearings and her disregard for my rights as my son's mother is disgraceful and disgusting.

If you want more information, feel free to contact me by email or phone, or mail. Thank you for looking into this matter. Of course, these hearings are all recorded so they can be reviewed with ease and you can see what I am talking about.