

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-334

Judge:

Complainant:

ORDER

June 8, 2023

The Complainant alleged improper 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 members Colleen E. Concannon and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 8, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-334

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.

On _____ the Honorable _____ set the following orders regarding the legal decision-making and parenting time over my children, namely; _____ born _____ born _____ and _____ born _____ During this hearing, Judge _____ orders were set denying any parental rights to my children. The _____ had started an investigation of allegations made against me for neglect. As the investigation continued, Father was given the opportunity to complete classes and programs to satisfy the _____ to place my children with him on a temporary basis. I was not offered or given opportunity to satisfy the _____ to have the children remain with me while they continued to perform their investigation. Instead, the _____ felt it was best to place the children with a convicted felon barely out of incarceration, who had been absent from a majority of the children's lives. Once Father completed his requirements given by the _____ it was motioned to dismiss the _____ case initiated by the _____ but despite my protest (_____). During our investigation with _____ Father too was accused of neglect however, Father was provided the opportunity to remedy the allegations against himself through participating in the programs recommended by _____ Additionally, _____ never offered any support or services to me and completely deprived any contact supervised, unsupervised, or telephonic with my children. Judge _____ set orders that the court recommended therapist, _____, would have the authority to determine when it was suitable for me to have visitation with my children, I was supportive of this and was acknowledged the circumstance that therapy was in order to reunify and rebuild my relationship with my children. My first complaint is that the Court has a duty to the public to be aware of the professional services they are appointing. As it was later found out on _____ the scope of work performed with _____ did not include recommendation of when it would be appropriate for a parent to have visitation with their children. The court failed on its part to thoroughly research and conclude that _____ could address the task that the Court Set.

Additionally, Judge _____ only set orders regarding visitation but did not include any other terms or rulings regarding how the minor could or would continue a substantial, frequent, meaningful relationship with their me pursuant to A.R.S. § 25-403.01 D. Establishing these orders was a direct violation of my parental rights, more specifically, §1- 602 of the Parents Bill of Rights which states "All parental rights are reserved to a parent of a minor child without obstruction or interference from this state, any political subdivision of this state, any other governmental entity or any other institution". I was completely stripped of any contact or relationship with my children despite my rights NOT being severed from my children. The only reason the family court was able to rule on our matter was because the Motion to deny the dismissal of our case in _____ court I submitted was denied.

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I filed a Petition to Modify the orders set by Judge _____ on _____ Judge _____ has since then presided over my case. Just before the filing of my Petition, I motioned Judge _____ division to allow telephonic contact with my children after not being able to speak to them since _____ of _____, my Motion was denied based upon Judge _____ findings that the issue I was addressing was set by the _____ court matter which was dismissed on _____ therefore any orders set by that court should no longer be enforceable. Again, the rights to my children have treated as if they have been severed yet that is NOT the case.

It has been _____ since Judge _____ set the last orders in my case, _____ have passed and I have been denied any parental rights to my children. The court has allowed me to be alienated from my children and despite the Court's position of serving the best interest of the children, has failed to show as to why I am to be denied even a phone call to establish any sort of connection with my children. Despite my best efforts to demonstrate to the Court that I have taken action in my mental health and steps on how to be a better parent, I am treated worse than the father of my children who is a convicted felon and spent majority of my children's lives in prison because of his choices.

I file this complaint with a heavy heart that parents like myself with insufficient financial resources to obtain and maintain consistent legal counsel and hope that it is brought to the attention of the Court that what is being ordered in this matter is unjust and a direct violation of parental rights.

eSignature Details

Signer ID:

Signed by:

Sent to email:

IP Address:

Signed at:

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