

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-069

Judge:

Complainant:

ORDER

November 27, 2023

The Complainant alleged a superior court judge violated her speedy trial rights and her rights to privacy in a criminal 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).

Copies of this order were distributed to all appropriate persons on November 27, 2023.

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

FOR OFFICE USE ONLY

2023-069

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.

Defendant was assigned to Judge . Judge on Judge set a trial date of . In accordance with state law Arizona 8.2 and Amendent 6 of the US Constitution Defendant should have been brought to trial days post arraignment. This would have been met with the trial date. Because Defendant refused plea deals and had made in clear to Attorney on that she was going to take this to trial. Defendant made this clear from the beginning. On Judge moved the case to Rule 11 court. Arizona law. Rule 11.7 demands privilege and confidentiality. Numerous minute entries containing privileged medical information were released on the court's public information website through minute entries. Starting with minute entry information on where Defendant is receiving health treatment and by what provider and insurance is disclosed. Also Rule 11 hearings are noted on the public docket by dates and times. Again on minute entry it is disclosed that Defendant is receiving treatment through On Rule 11 court determines Defendant to be competant to stand trial. On Judge excludes days and sets a new last day of . If Defendant is given her day speedy trial right that would be days past arraignment. If Defendant subtracts days . Judge never asked the Defendant if she waived her constitutional right to a speedy trial, either state or federal. Defendant has never consented under oath or in writing for the endless violation of her constitutional rights to a speedy trial. On Judge vacates the Status Conference on and sets a Settlement Conference on . On Defendant appears in court with witness Defendant and are left alone in the courtroom while and

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On Defendant arrives in court with her witness
and Judge leave the courtroom without explanation for approximately hours
and without a court reporter. They return with a plea offer about pages long. Defendant was
ordered to take the plea offer with Judge making vague offers regarding what he would do at
sentencing if Defendant took the plea offer, he only stated he would not send Defendant
to jail. The plea offer was never explained and involved Defendant pleading guilty to harming
children, a crime which she had never been charged. Defendant felt threatened, harassed and
bullied by , , and Judge . Defendant was only given about
minutes to read the lengthy plea offer and then it was taken away from her. She was never given a copy
of this plea offer. Defendant made it clear she wanted to go to trial. Courtroom was excused.
On Judge ordered Defendant health provider to release medical
records to the court even though Defendant had been found competent to stand trial and had
released records voluntarily multiple times. Also in the minute entry Defendant entire birthdate
is disclosed to the public. Judge is required by law to make sure all documents relating to rule 11
court are sealed. On Judge orders Defendant to return to Rule 11 court and
moves the trial date to . On the minute entry Judge orders information to
be released to the public. On the minute entry Judge orders Defendant to
make a special court appearance to be fingerprinted. Defendant had been previously
fingerprinted and given a mugshot by the . On Judge orders Defendant
to be evaluated by a doctor who is specifically named in the public minute entry.

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On the minute entry dated _____ made available to the public, it continues to discuss Defendant's treatment and implies she is housed at the _____ County Jail, which she was not at the time. It was Judge _____ case and his responsibility to keep these records out of the public view. On the minute entry dated _____ Defendant _____ health diagnosis and treatment are discussed in this minute entry which is available for public view. Names of evaluating doctors and other professionals and their opinions are also disclosed. On a lengthy minute entry _____ Defendant _____ conditions are openly discussed again as well as the opinions of the court appointed professionals. On the minute entry states there is a discussion regarding protective orders. Defendant was never granted or served with a protective order. This minute entry was released to the public and implies that Defendant was served with a protective order and may be considered dangerous. On _____ the protective order is granted. On _____ the motion continues, confidential information is provided again. appeared at Defendant _____ house without a warrant and without probable cause and told her then _____ year old father he was going to be arrested if Defendant _____ did not take the plea offer. also contacted _____ without a warrant and without probable cause and disclosed confidential medical information regarding Defendant _____ treatment. Judge _____ continued to allow this information to be disclosed to the public. On _____ Defendant _____ appears in court and is subject to a vicious character assassination. _____ and _____ both testify under oath that Defendant _____ suffers from multiple and very serious _____ health issues which would demand immediate treatment and hospitalization but they make no effort to obtain these services for the defendant.

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On a minute entry dated _____ several confidential issues are discussed regarding Defendant _____ health conditions and treatment history. Defendant _____ believes this information was released in violation of arizona revised statutes to create bias in any potential jurors who may be seated for this case. It also continues to violate Defendant _____ right to a speedy trial. On _____ Judge _____ receives a motion discussing a _____ box obtained by the defendant. He acknowledges that she is still in rule 11 court and he is aware of the proceedings. On a minute entry _____ a _____ pages of procedures and implications of rule 11 are made. Defendant _____ health history and treatment continues to be disclosed to the public. On _____ Doctors are once again named and Defendant _____ conditions are again discussed. On _____ another minute order is entered discussing a protective order in this case. Defendant _____ has never been informed of any protective order either for or against her. Defendant _____ implies this public disclosure is only for the purpose of making her look bad and dangerous to the public. On _____ another motion is filed. Defendant _____ court appointed attorney _____ was given copies of her _____ health records which is neither qualified or allowed to review per rule 11 guidelines. Copies of Defendant _____ health records may have also been given to _____ the prosecutor, another violation of rule 11 guidelines. On _____ Defendant is ordered to appear in court downtown with less than _____ hours notice. After Defendant _____ complained to _____ and the court about the continued unauthorized and illegal disclose of her _____ health information, _____ claimed she was in contempt of court. When Defendant _____ appeared she explained the situation to Judge _____ and stated she did not want _____ to sit it on attorney client privileged meetings.

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Judge ordered Defendant to allow this violation of attorney client privilege or be taken into custody. Defendant did not object. On the minute entry dated the court denies the motion to take judicial notice. Rule 11 proceedings cannot be disclosed to the jury as it will create an unfair bias. On another motion for a continuance is granted. Minute entry continues to disclose the name of the doctor treating Defendant and confidential medical information. On minute entry Court grants motion to seal exhibits, yet as on information is still available to the public. It is the responsibility of Presiding Judge to insure the integrity of these records. On another motion to seal is granted. On the minute entry dated the rule 11 is continued. At this time, Defendant has been in full cooperation for about months. During this time Judge has continued to order to comply with unconstitutional restrictions that have no basis in fact. She is not allowed to consume alcohol or leave the state of arizona. Judge has never explained the factual basis for these restrictions or required Defendant to acknowledge them in writing or under oath. On the minute entry dated the outrageous disclose of confidential information is disclosed to the public. Clearly this case has not been properly sealed. On the minute entry Defendant stay in the is discussed in public disclosures. This disclose was made to the court in confidence and should have been sealed. On Defendant arrives in the courtroom of Judge Defendant never agrees to waive her constitutional right to a speedy trial either by sworn testimony or in writing. Defendant is only open to court dates and times. At the end of Defendant court ordered compliance, engages in an outburst, making criminal allegations that have not been charged.

**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.**