

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-180

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Judge:

Complainant:

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**ORDER**

October 24, 2023

The complainant alleged a superior court judge did not rule on a motion timely.

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 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 Barbara Brown and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 24, 2023.

**From:**

**Sent:**

**To:** Commission on Judicial Conduct

**Subject:**

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning I am writing this email to file a complaint against Court Judge . I have had to represent myself Pro Se in case because I did not have the funds to retain private legal representation. Nor did I qualify for Legal Aide Services according to the location. Throughout this journey of representing myself I have had to file numerous motions, because my now ex husband will not abide by the visitation/custody rules set forth by the court. Although the burden of proof was met on more than one occasion. Although my ex husband has proven himself to be untrustworthy during visitation there has been nothing done to change visitation. In one particular instance, Judge did find my ex husband in contempt of court, stating that he believed that my ex willfully attempted to deceive the courts. As a result of this, there is an active investigation against my ex husband for perjury to the courts, being conducted by Office. On there was a hearing held in which my ex husband admitted under oath that he did fail a drug test for , testing positive for methamphetamine use. He also stated under oath that he had just gotten his license reinstated that day, and had just taken a drug test days prior which will test clean. He was ordered to produce the driver license proof within days. Also being ordered to produce the drug test results as soon as they became available. He did neither of those things. During the week of I filed a motion with Court in , concerning the hearing. Ther clerk who accepted the motion for filing, time date and stamped, was . To my knowledge there was never a ruling made on that motion. I have sent multiple email inquiries asking for an update on that motion, to which I have received no reply. I am aware of Rule 91 which gives a day time limit for all rulings to be made on any motion filed. It greatly distresses me that because I do not have an attorney to represent me, I am being ignored in both written and filed motion along with communication correspondence. I also could not find record of the motion on the Arizona Public Record search database after the motion was filed. However I do see that my ex husband filed a motion on . This leads me to question the integrity of the courts and Judge himself. It is frustrating and saddening when one parent who has to files motions, is seen/reacted to in a negative light, because the other parent will not follow the visitation rules. I would like to speak with someone over the phone about this as soon as possible. Thank you for your sensitivity and promptness in this matter.