

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-188

Judge:

Complainant:

ORDER

November 9, 2023

The Complainant alleged a superior court judge did not afford him equal time to present evidence in a family law 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 November 9, 2023.

2023-188

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.

- There was unfair time given between the petitioner (min) and respondent (nin)
- There was dissociative inaccuracies in the temporary orders issued, whereas the judge mistook the Respondent for asserting a lack of transparency of the Petitioner regarding her medical insurance for our child, while what I clearly stated was in regards to the entirety of care as well as the the facilitation of care from the Petitioner.
- There was generalizations made as per my the Petitioner's statements and exhibits, but not from the Respondent, that were taken absurdly out of context such as the Petitioner's whole family as which denotes immaturity as well as a lack of respect from the Respondent in general.
- Considering an Order of Protection and it's dynamics in regards to be issued by the Petitioner when not of sound mind, or overt emotionality, as well as not in a child's nor her best interests, told me quickly of a form to fill out, but did not stop and allow me to write down the name nor learn of it's nature in relation to this case. I felt there was an unfair bias and deterrence away from providing insight into what due process is considering such form and possible conditions of a protective order.
- I asked the judge if I may read my statement, in regards to her asking my opinion about said case in specific way, to which she did not respond, leaving and leading me to speak, unable to find the words when I planned to read statements.
- the hearing seemed to not follow the instructed upon subject matter that was sent in e-mail, of the hearing, without warning, nor time to adjust, to what seemed like a lack of structure throughout the course of the hearing.
- very little accommodation was given to the respondent, who was self-representing
- very brief question and discernment was made as to the nature of my financial affairs and degree of homelessness (years) to which I was ordered to pay , as an unsheltered homeless individual, to the Petitioner whose income is /yearly.
- no 'clear' answer when asked the judge if she received my filings

All considerations are in regards to the immediate welfare of a child presently being denied access to his primary domestic caregiver throughout the majority of his lifetime for more than months for unrelated reasons pertaining to an order of protection relating to child's Mother (the petitioner), that does not include dependent.