

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-273

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Judge:

Complainant:

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**ORDER**

November 9, 2023

The Complainant alleged a superior court judge was demeaning in a domestic 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 November 9, 2023.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2023-273

**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.

Despite deep misgivings on my part, I have chosen to act on my grave concerns over \_\_\_\_\_ and his performance in his current role as a Judge. Honestly, I am in shock that he has not had some sort of corrective measure applied by now. Given the length of service, number of cases, his behavior he exhibited towards me is not a new thing for him to engage in.

Unfortunately, I have appeared before him twice. He behavior towards me was consistently horrendous.

Being harangued, talked to in a condescending manner and being belittled from the bench, while on the witness stand, which is exceptionally difficult for me due to the coercive emotional control that I had been subjected to, falls very much outside the pale of appropriate professional behavior in a reasonable estimation. Add in intimidation, using his position to attempt to pressure me into agreeing with his biases, and outright manipulation of the evidentiary procedure while in court? Not to mention that he took it upon himself to pick a side and argue for the side that he decided was the correct one from the bench. This was not interjecting to gain clarity, or asking questions, this was a full court press against me from the bench. Twice. \_\_\_\_\_ and \_\_\_\_\_.

After the proceeding on \_\_\_\_\_, I heard \_\_\_\_\_ make a statement to \_\_\_\_\_ that none of that was called for. Both attorneys were shocked and dismayed at \_\_\_\_\_ behavior. A \_\_\_\_\_ Court Judge acting in that manner? In the prior appearance \_\_\_\_\_, \_\_\_\_\_ behavior was the same. The attorney's reactions were the same. Speaking to me from the bench, attempting to intimidate, pressure, belittle, and using his position to attempt to coerce me into agreeing to his personal ideology, biases, or his preconceived determination of the case? I do not know.

My perception was that the position of Judge carries with it the responsibility to follow the evidence, to place ones inherent biases aside, as best one is able, to be able to discern beyond the surface layer, and to provide a just and honorable ruling according to the law. To not blindly follow ones own preconceived narrative that is based on conjecture, a personal ideology, or personal feelings. Regrettably \_\_\_\_\_ had proven me wrong in this regard.

It is my understanding that there are documents filed with the court that summarizes the arguments and evidence that the attorneys in the case will be using before every court appearance. However, when comparing the rulings that he arrived at, I am questioning where he got his information from. There are items that made it into the final orders that were never spoke to in court. It is as if he was being very creative in order to fit the supposed facts into a preconceived narrative that he has concerning my case or he didn't read anything, even his own prior rulings. Or the notes he was engaged in writing during court.

Despite evidence that we had made multiple overtures to start the negotiation that would lead to a settlement, from \_\_\_\_\_ till \_\_\_\_\_, which the other side ignored, no responses at all, is now somehow my fault and due to that fact, I'm being required to pay the other sides legal fees?

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Among other existing communal financial liabilities that were being increased by the opposing party, with evidence submitted, but ignored / dismissed as non-relevant by \_\_\_\_\_ ? There was even a section 69 agreement reached in court in \_\_\_\_\_, pushed by \_\_\_\_\_, on the equity settlement and yet that was also ignored and modified into what's in the final orders?

I am domestic violence survivor. That didn't fit into the preconceived narrative so that was dismissed. As was her arrest for domestic violence and disturbing the peace by \_\_\_\_\_ Officers. Isn't it left to the officers on scene to determine if DV has or is occurring, whether or not the officers were present at the time of the DV? By dismissing that isn't the inference that the officers didn't know what they were doing? I was grilled by \_\_\_\_\_ on this as he assumed that I as a lay person was supposed to know the Arizona Criminal Statutes and \_\_\_\_\_ police procedures along with the exact mechanism of how and which protective orders function in the legal system. He seemed to take exception that I took the steps I could to protect myself from the coercive emotional control which had been increasing in severity to a point where my life and bodily well-being was being directly threatened by her and suicide threats added in for good measure. He was attempting to insinuate that I had placed a protective order to remove her from the residence. Please consider that 25% of men are non-fatal domestic violence survivors as per the \_\_\_\_\_. Unfortunately, I happen to find myself firmly part of that statistic. The inference that he was making was that my safety was of no concern. Perhaps I'm not the "proper" gender to be concerned with in his estimation.

\_\_\_\_\_ definitely does not grasp the interpersonal dynamics that occur between an abuser and the abused when it comes to intimate partner violence / coercive emotional control. I do hope that this awareness is something taken seriously by the judiciary going forward. It is quite literally a hell on earth to experience.

Speaking of evidence, there was nothing from the one side that would substantiate anything. No bank statements, receipts, nothing but a financial affidavit and testimony. However that was enough in some manner for \_\_\_\_\_. Yet there were reasons found to not take into consideration other supported evidence that ran counter to the side that all I can assume \_\_\_\_\_ decided was correct / the right side.

I am confused about something. Is it appropriate for a Judge to rule on someone's ability to work without the proper full body medical reports to base the judgment on? Yes, testimony is one thing, yet is \_\_\_\_\_ qualified to make that determination without means of substantiation? What about job skills? Employability? He did that. He made many assumptions concerning many areas and he refused to look at anything that didn't fit his concept of the case.

DropBox links to court audio files:

