

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-295

Judge:

Complainant:

ORDER

January 12, 2024

The Complainant alleged a superior court judge disregarded evidence and made improper rulings in dependency 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 Barbara Brown and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 12, 2024.

From:
Sent:
To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>
Subject: Complaint against Judge

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[Date]

Judge

Subject: Formal Complaint Regarding Judicial Misconduct and Violations in Child Custody Case

Dear Judge _____,

I am writing to file a formal complaint against you regarding your conduct and actions during my child custody case at the _____ Court. It is with great concern and disappointment that I bring to your attention the numerous instances of judicial misconduct, violation of due process, and negligence that occurred throughout the proceedings.

1. Bias and Prejudice: Throughout the case, you consistently demonstrated bias and prejudice

against me, _____, the biological father. Your demeanor, comments, and rulings consistently favored the opposing party, and you exhibited a clear disregard for my rights as a parent.

2. Disregard for Evidence: You repeatedly ignored significant evidence that supported my claims and undermined the credibility of the opposing party. This includes documented instances of abuse suffered by my child while in foster care, medical records that were overlooked, and witness testimonies that were dismissed without proper evaluation.

3. Denial of Due Process: You denied me the right to due process by disregarding evidence, making rulings based on proven lies, and intentionally causing emotional distress throughout the proceedings.

4. Negligence and Failure to Protect: You demonstrated negligence and a failure to protect my child by disregarding documented instances of abuse suffered by my child while in foster care, denying requests for medical examinations, and failing to address the well-being of my child.

5. Abuse of Discretion: You abused your discretionary power by ordering unjustified drug testing and treatment, without any charges or credible evidence of drug abuse, violating my rights and subjecting me to invasive procedures.

6. Violation of the Best Interest Standard: You failed to consider the best interests of my child by ignoring evidence of their well-being and denying them necessary medical attention, thereby neglecting their physical and emotional health.

7. Breach of Judicial Code of Conduct: You violated the Judicial Code of Conduct by exhibiting bias, collaborating with the prosecutor, disregarding evidence tampering, and failing to maintain impartiality and fairness throughout the proceedings.

I am also deeply concerned that these violations may not be isolated incidents. Therefore, I request that all rulings made by you, Judge _____, regarding termination of parental rights be reexamined and thoroughly checked for similar misconduct and violations. It is imperative to ensure that no parent has suffered unjustly due to your actions.

In light of the aforementioned complaints, I respectfully request the following actions be taken:

1. Conduct a thorough investigation into your conduct, Judge _____, during my child custody case, including a review of the court proceedings, evidence presented, and interactions with involved parties.

2. Hold you accountable for your actions and impose appropriate disciplinary measures, in line with the severity of the misconduct and violations committed.

3. Review and overturn any rulings or decisions made by you, Judge _____, that were based on false evidence, bias, or a disregard for my parental rights and due process.

4. Ensure the immediate reunification of my child with me, as their parent, and take necessary actions to restore and protect our parent-child relationship.

5. Provide appropriate compensation for the emotional distress, harm to my reputation, and financial burdens incurred as a result of your misconduct and violations.

6. Implement reforms and training programs to prevent future occurrences of judicial misconduct, bias, and infringement upon parental rights within the court system.

I believe that a prompt and thorough investigation into this matter is crucial to upholding the principles of justice, safeguarding parental rights, and ensuring the well-being of my child. I trust that you, Judge _____, will handle this complaint with the utmost seriousness and take appropriate action to address the misconduct and violations committed.

Thank you for your attention to this matter. I look forward to a timely response.

Sincerely,