

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-311

Judge:

Complainant:

ORDER

November 27, 2023

The Complainant alleged a superior court commissioner should not have mentioned that witnesses testified to a non-witness having issues with alcohol abuse.

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).

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 311

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.

I am the spouse of the maternal grandmother mentioned in this case. I am filing this complaint on behalf of her, . Please note page 2, line 18 is the basis of my complaint on the attached file.

On a hearing was convened with Hon. Petitioner
attorney representing , and the respondent. My wife was
not present, yet a statement was allowed into testimony, by to be made a public
record I might add, that my wife, has problem!

My Wife had absolutely NO IDEA that this was going to be allowed to be admitted into a public record, nor did she have an opportunity to refute that! She was not present during ANY testimony and was not made aware of it until just recently.

My wife DOES NOT have problem, yet now, anyone who wants to access, as allowed as a PUBLIC record, will assume that she's an by virtue of NO MEDICAL testimony and based on two parties asumptions and personal feelings towards her.

I find it absolutely irresponsible by a Court Judge to allow this type of testimony by one individual () who doesn't even know her and has everythng to gain by making her appear irresponsible, and allow his testimony to be admitted as FACT! How disgusting!

has demonstrated a total disregard for personal privacy and promotes making FALSE accusations and places these accusations as a public record for anyone to see. This is akin to making personal medical records of an individual public knowledge.

I wouldn't be surprised if she was even biased against my daughter , with
asuming that addiction runs in the family.

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IN THE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF

In Re the Marriage/Matter of:

Petitioner,

vs

Respondent.

Case No.

Hon.
Commissioner I

ORDER

(Under Advisement-

This matter comes properly before the Court on Respondent's Petition to Modify Parenting Time Only, filed on . On , the Court held a final evidentiary hearing on this matter, during which both parties personally appeared; Petitioner/Father was represented by counsel, and Respondent/Mother appeared *in propria persona*. At the conclusion of the hearing, the Court took the matter under advisement.

1 THE COURT FINDS AND ORDERS AS FOLLOWS:

2 1. The Court has proper jurisdiction and venue to enter all the relief in this order.

3 The minor child lives in Arizona, and had lived in Arizona for at least six
4 months immediately prior to the filing of Respondent's Petition to Modify.

5 2. The parties have one minor child in common:

6
7 , born

8 3. **Factors pursuant to ARS §§25-403 and 25-408; and the best interests of**
9 **the child.**

10 A. The child has lived primarily with Father, in since

11 B. The child is well-bonded with Father. Mother's bond with child is a work
12 in progress.

13 C. Mother has not had overnight visitation with the child since

14 D. Mother's current parenting time is supervised by the maternal
15 grandmother,

16
17
18 E. Both parties testified that maternal grandmother has some issues with
19 abuse.

20 F. Mother testified that she has been sober since Mother
21 provided negative TASC urinalysis results for

22 and . She also provided certificates for
23 her completed sobriety programs and her role in a peer support group.

24 G. Mother's drug urinalysis results were also negative but
25 reflected trace amounts for certain drugs.

26
27 H. Mother moved to AZ sometime in Mother's
28 move occurred months after the filing of her Petition.