

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-329

Judge:

Complainant:

ORDER

November 17, 2023

The Complainant alleged improper legal rulings by a superior court judge hearing a family 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).

Copies of this order were distributed to all appropriate persons on November 17, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-329

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.

This is a complaint against the Arizona Court system with Judge being the courtroom judge for a family Law/ Divorce case between myself, and my husband/spouse of years. After failed attempts to settle, this divorce went to trial in Arizona and a decree was written within the Under Advisement Ruling Divorce Decree, which was written by " Court" and signed by Judge. There were several significant errors, including but not limited to 1) age of one of the litigants (myself) 2) boxes checked in the support order differed from what was written in the narrative order, meaning discrepancies/confusion on which litigant was paying and which litigant was receiving. The Court attempted to change this error only after it had expired, meaning the order had expired. So it did no good to change it then as the damage had already been done. Based on just these two issues, although there are more, I believe the Court system purposefully made decisions and errors related to pre-existing biases and possible identity confusion + possible theft of litigants involved.

Tele:
Fax:

RE: State of Arizona v
Case Number

Dear

You have been charged with the crime of ARS 1-13-2904(A)(3)/13-3601; 2-13-2904(A)(3)/13-3601; 3-13-2904(A)(3)/13-3601; 4-13-1203(A)(1)/13-3601; 5-13-1602(A)(1)/13-3601. Rule 15.1, Arizona Rules of Criminal Procedure, requires the State to make available a copy of all reports and evidence in relation to this matter. You may receive a copy of these items for free via email (if email supports the content). Paper copy charges are per page and CD/DVDs are each. Please provide your email address or hours of notice prior to picking up disclosure items in order to allow us to have them prepared for you. If you chose not to obtain these items, you may waive any claim of lack of disclosure under Rule 15.1. The State may call any witness listed in the report or any supplements provided. Victim information has been redacted pursuant to Arizona law. If additional witnesses come forward or new evidence is obtained, the State will provide a supplemental notice of disclosure to you via e-mail or mail. If you do not provide a current e-mail or mail address, then you may not receive notices of new disclosure.

Please contact our office via phone at
through Friday, 8 a.m. to 5 p.m.

or at the address listed above Monday

Sincerely,

Assistant City Attorney

Defendant Name:		MISDEMEANOR RELEASE CONDITIONS and RELEASE ORDER
Address:		
TIME <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM		
Phone:	<input type="checkbox"/> Interpreter - Language: <input type="checkbox"/> TELEPHONIC	

CITY COURT - DR#

CHARGES: 13-1204A3 (DV) DISORDERLY CONDUCT X3; 13-1203A1 (DV) ASSAULT; 13-1602A1 (DV) CRIM DEFACE PROP VAL LT 2;

- Defendant has been advised of the charges and the right to silence, counsel and trial.
- Public Defender:** Appointed Denied Financial Statement needed Declined Undecided Limited Purpose/Bond Review
 If Public Defender appointed, Defendant shall pay _____ fee and may be ordered to repay county for cost of his/her legal services.

THE DEFENDANT IS ORDERED TO COMPLY WITH THE FOLLOWING CONDITIONS OF RELEASE:

- Appear at the Court marked above on:** _____ a.m. p.
 For: Arraignment Pretrial Trial Sentencing Warrant Other: _____
- Appear at the Court marked above on** _____ a.m. p.n
 For: Bond Review (IF STILL IN CUSTODY)
- Obey all orders of the Court; Do not commit any crimes; Notify the Court immediately if your address changes.
 If applicable, diligently prosecute appeal following judgment and sentence.
- Do not contact the alleged victim(s) in any manner:** _____
- Do not go near the location of the alleged offense. You may return one time with a police officer as civil standby to obtain belongings
- Remain in contact with your attorney (Public Defender or privately-retained attorney).
- Do not possess or consume any alcohol or drugs without a valid prescription.
- Do not possess any firearm/Deadly weapons
- DNA Test per A.R.S. §13-610L. Report within _____ days to _____ County Sheriff's Office to submit sample for DNA testing.
- Fingerprint Order per A.R.S. §41-1750(U). Report within _____ days to _____ County Sheriff's Office for Ten-Print fingerprinting.
- Other: If applicable, Defendant shall pay the _____ Public Defender fee within _____ days.
- Other: _____

RELEASE TYPE: (ALL CHECKED CONDITIONS APPLY)

- Own Recognizance (O.R.)** - Defendant is released on his or her promise to appear in Court as required.
- Appearance Bond** - Defendant shall post bond in the amount of \$_____. Secured Appearance Bond Cash Only
- No Bond** - Hold Defendant without bond per A.R.S. §13-3961
- Pretrial Services** - If Defendant agrees to the terms of Pretrial Services Release signed this date, Defendant shall be released to the custody of the _____ County Pretrial Services. If Defendant violates a term of supervision, Defendant may be returned to custody, subject to release on bond.
- Third Party Release** - Defendant shall be placed in the custody of: _____
 Address and phone: _____
 who agrees to supervise Defendant according to the conditions of this Order; to use every effort to assure that Defendant appears at all hearings before the Court; and to notify the Court immediately if Defendant violates any condition of release, or if Defendant flees.
Custodian Signature: _____

If the County Attorney notifies the Jail that no misdemeanor charges are being filed, then Defendant may be released on this case only.

DEFENDANT TO READ AND SIGN: I promise to comply with my release conditions. I understand I have the right to be present at my trial or other proceedings in my case, and if I fail to appear the trial or proceedings will be held without me and any bond posted may be forfeited. If I violate any condition of this Order, I understand my release can be revoked and a warrant may be issued for my arrest

JUSTICE COURT

Plaintiff Birth Date: vs Defendant	CASE NO: ORI NUMBER:	HEARING ORDER <input checked="" type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Injunction Against Workplace Harassment Issued Date:
---	-----------------------------	---

The request for:
 A protective order is granted denied withdrawn. Reason: _____
 A hearing is denied.
 A motion to continue is denied.
 A motion to modify is denied.

The Court continues the hearing set for ___/___/___ (date). See Notice of Hearing.
 The Court cancels the hearing set for ___/___/___ (date).
 On Plaintiff's motion, the Court dismisses the protective order listed above.

At time of hearing:

Plaintiff: Appeared Failed to Appear but did not have Notice Failed to Appear but had Notice
 Defendant: Appeared Failed to Appear but did not have Notice Failed to Appear but had Notice

The Court dismisses the protective order listed above.
 A protective order is denied granted. Brady applies.
 The protective order listed above remains in effect. Brady applies.
 As attached, the Court modifies the protective order listed above. Brady applies.

Date: _____ Judicial Officer: _____

CERTIFICATE OF TRANSMITTAL

Copy mailed provided personally to Plaintiff on ___/___/___ by _____
 Copy mailed provided personally to Defendant on ___/___/___ by _____
 Copy mailed delivered faxed to Sheriff on ___/___/___