

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-361

Judge:

Complainant:

ORDER

February 23, 2024

The Complainant alleged a superior court judge made improper rulings 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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 23, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-361

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 had filed a motion to modify parenting time as my oldest son who was as of had decided he wanted to be at my home full time and not exercise any parenting time with his mother because of the way he was treated by his mother and his step father and he did not feel safe in that home. I also have a younger son whom I share ^{custody} with and he at that time was and was on the fence about changing the schedule. However, I needed to modify as my oldest had already been living with me full time and I also needed to modify child support to support the change in living arrangements of my oldest. We had a resolution management conference on and it was determined by and myself that had been living with me full time since I had requested to modify my youngests parenting time as their step father was very aggressive towards my oldest son when he attempted to retrieve his belongings from his mothers home in of and we have a police report that stated as such amongst other facts that it was in my youngests child best interest to be at my home full time and minimal time with his mother. At the resolution management conference we requested both children be interviewed and when that child interview came out, it was very apparent how each child felt about mother and fathers home and it did not look good for mother. Also at the resolution management conference a hearing was set for for modification of parenting time and child support. At the hearing again all was shared and facts were given to the Judge to determine in her ruling. The Judge took the entire days to make her ruling and in such ruling all she determined was that my oldest child had already turned () so she didn't need to make a ruling on his parenting time any more and she denied my request to modify my youngests parenting time stating that neither parent provided evidence that the current environment would endanger the childs mental, physical, mental or emotional health and that she did not find a current change in circumstance that warranted the change. Even though my oldests sons interview expressed how mentally abusive his step father was and a police report that showed his step father is aggressive. In (the youngests) child interview he reported that his step father doesnt even talk to him and that his mother barely speaks to him. This is clearly not a healthy environment. In the Judges ruling she clearly acknowledges the oldest is ~~not~~ but makes no ruling on child support so I have been paying child support to his mother and continue to do so because of her lack of attention to the law. Child support should have been modified dating back to when my oldest started living with me full time in of and yet the opposite happend. She neglected to rule on anything child support related even though it was in my petition. After her ruling, on I had filed a petition to alter or amend her judgement of specifically stating that she failed to acknowledge the child support part of my petition and the fact that the oldest had lived with me while he was and still under the child support guidelines and the fact that she acknowledged he had turned and that child support should have been ended at the end of . That petition she took another full 60 days before flat out denying my motion with no explanation or citing why she was denying the petition or court findings. I have been denied time and time again with no clear understanding of what this Judge is making her basis on and she has flat out disregarded the law and not taken the time to thoroughly evaluate my case with the facts provided. Another complaint with the justice system is that Judge ordered child support credit to me in and I have yet to see the credit and no order was placed on mother returning that credit to me. I have to spend countless dollars fighting for money that belongs to me legally and because the lack of attention by a Judge that is suppose to be fair. I still have to keep spending money on an attorney to fight yet again to get child support stopped on an year that has been living with me for over a year. I am highly disappointed in the justice system.