

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-388

Judge:

Complainant:

ORDER

March 29, 2024

The Complainant alleged a superior court judge made improper rulings in his 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).

Copies of this order were distributed to all appropriate persons on March 29, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-388

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.

ignored the MAJORITY of my Petitions/Pleas to his court including MULTIPLE petitions to ENFORCE ongoing violations of Schedule [Court Ordered Exchanges] for two different sets of Orders from his Court FAILING to ensure I saw my Son twice/wk. These were being violated at a 50% rate [HALF THE EXCHANGES]. [Submitted Exhibit 1: "Police Reports" documented over 50 exchange violations]

DENIED my Legal Obligation/Requirement by Arizona Law to Petition his court in order to Establish Initial Custody of my Son. Although I am ON the Birth Certificate, Arizona law does not grant me my Initial Paternal Rights to Parental Time w/ my Son. Since I am being denied those Rights by BOTH respondent parties [Mother-neglected both her children/Grandmother intervened due to neglect] AND since AZ law requires me to plead to the Court in order to Establish my Parental Right/Time w/ my Son. I did so and was told in court while PLEADING for access to my Son that " _____ did " " b/c his job was the best interest of my Son;

This comment by _____ implied that he was going to do whatever the Best Interest Attorney told him to do. Being that I was the only Male in the case, and further the Court Appointed Advisor _____ was uncooperative w/me from the start, further demonstrated this hearing was Fixed from the outset against a Father and in the Favor of the 'Coincidentally' identical demographic Grandmother[CAA].

After Filing Multiple Petitions to Plead against Violations of the Court's Ordered schedule by the Respondant _____ neither responded, nor granted me a hearing, nor Enforced my requests regarding existing Ordered Exchanges that were continually being violated.

Further, the Court DENIED my Petition to Establish my initial Custodial Rights to my Son. Not only did the Court DENY my simple 50% Custodial Request I was filing [while willing to take on 100% enLieu of the Substance, Lifestyle and Neglect Problems w/ the Mother Respondant] it recinded it's previous Orders which had given me 2 contacts per week, and instead reduced my Parental Time by 1,000%, from 2 days/wk to 1 day/mo: total time

This was a FURTHER reduction of contact w/ my son's Father [Petitioner] from previous Emergency Orders [enLieu of in-residence Substance/Lifestyle-abuse Treatment by the Mother Respondant 1], for which I was granted FULL TIME parental custody for the first time in my son's _____ year life. This arrangement was working fine, until interfeared w/ by Respondant 2 [Grandmother].

Please see the Number of Petitions I filed in objection to Violations of existing Court Ordered Exchanges, asking for Enforcement of said Court Orders, asking for hearings, asking for relief from the Court MULTIPLE TIMES IN MULTIPLE PETITIONS, completely ignored/rejected/not-addressed by

Further, explaining to a Father, who is in Court Pleading for access to his Son [Initial Custodial Rights] that _____ is insulting and has detrimentally affected both my Son's and My mental health, to say nothing of potentially being Illegal to deny a Father his Legal obligation to Establish Custodial Parental Rights in the State of Arizona.

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I ask this body for a new hearing, addressing ALL THE PETITIONS I never got a hearing for, justifying my now 100% DENIAL of Parental Time w/ my son [as I have not seen him in over _____ months since the Ruling]. I ask for some sort of reprimand of _____ for denying a Father's Legal Obligation in the State of Arizona to Petition the Courts for a simple 50% Custodial Responsibility and I ask for the removal of the Interference by Respondant 2 | _____, Grandmother] on the basis of Respondant 1 | _____] in court Testimony that she [the Grandmother] actually CAUSED the mental illness Respondant 1 was institutionalized for.

The above represents a real and present 'Threat'/danger to my son's mental health, as does the exclusion of his Father from his life, affectively accomplished by _____ deriliction of his Duty to ensure the best possible outcome for my Son [Regular Parenting/Custodial Contact with his Father].

Such a Ruling by _____ denying my plea to Establish Initial Parental Custody, as well as his failure to address multiple PLEADINGS to his court, not only demonstrates a deriliction of his Duty under Arizona Law, it is a real and present danger/threat to my Son's welfare, setting a dangerous precedent against all Fathers' necessary Custodial Responsibilities in the State of Arizona.

Further, I attempted to mitigate this Trial by agreeing with both Respondents prior to Trial by Filing MULTIPLE PETITIONS TO MEDIATE, or Requests for Mediation, which were ignored by _____ It was my intent to have a Court-Intervenor mediate an agreement b/t all three Parties (Myself/Petitioner, _____ /Respondant1, _____ Respondant2) however my Motion for such a conference was never addressed, and we were never given the opportunity to reach a LDM/PT Agreement b/t the Three of us prior to Trial.

Please reprimand _____ for his dereliction and persecution of a Father w/no Cause, nor Explanation for either his Denial of my Petition to Establish my Initial PT/LDM nor his flat out failure to respond to my Plea for a Court Intervention/Mediation prior to Trial.

From:

To:

Cc:

[Commission on Judicial Conduct](#); [Commission on Judicial](#)

Subject:

[Conduct](#)

RE:

Staff cannot comment on your case. I can tell you that a check of the docket today at [redacted] show the last 3 pleadings filed are:

- [redacted] – ME: Order Entered by Court
- [redacted] – Return Mail
- [redacted] – ME. Order Entered by Court

If you feel this is an error and you believe that you have properly filed the petitions listed in your email, you may want to contact the Clerk of the Court

[redacted] This web address has information on filing with the Clerk of the Court as well as their contact information. As noted in the minute entry from [redacted], the paperwork that comprised of redacted police records were rejected and no further action was taken. Court staff does not keep rejected documents/exhibits.

Sincerely,
Staff of Honorable

From:

Sent:

To:

Cc:

Commission on Judicial

Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Re:

You rejected my Exhibits submitted both to the Clerk and online through the E-file Portal and claimed there was no associated Motions, when in fact there is as it too was submitted online to all parties contrary to your accusation that the other parties did not receive it.

Why are you obstructing my Petition to Establish my Parental rights?

Why are you falsely Accusing me while doing so?

What is this Court's Problem with a Father asking for help to have Legal access to Parenting his Son who has been kept/withheld from him?

Whatever happened to my Motion to Enforce Parenting Time?

Whatever happened to my Request for Pre-Decree Mediation?

Whatever happened to my 2 recent Exhibits and the related General Motion I filed weeks ago for Justification/Cause of your Rejection/Denial of my Plea to Establish my initial Parental Custody/PT/LDM of my Son?

I am submitting a complaint to your Oversight Body having received NO HELP from this court on my Petition to Establish simply my 50% Parental Rights to my Son.

All I have heard from this court is " " and "
" ()

I hope to see you soon, to review your failures to address multiple Petitions and your Denial/Rejection of the few you confess to receiving, in my attempts to Father my Son.

, Father-Petitioner

DO NOT THROW OUT MY RECENTLY SUBMITTED{2} EXHIBITS AND PLEASE FIND THE MOTION YOUR SYSTEM HAS LOST REGARDING THOSE TWO EXHIBITS.

I WILL RESUBMIT THE MOTION ONLINE, PLEASE DO NOT LOSE MY EXHIBITS(2).

ADDITIONALLY, THE SUBSTANCE OF THE MOTION WAS REQUESTING YOUR JUSTIFICATION/REASON FOR DENYING MY PLEA TO ESTABLISH MY INITIAL PARENTAL CUSTODIAL TIME/LDM RIGHTS AS A FATHER. [WHY?]

IN SHORT, WHAT IS IT THIS COURT IS OFFENDED BY?

WHAT HAVE I DONE TO JUSTIFY DENYING MY PLEAS FOR ASSISTANCE IN ESTABLISHING MY ROLE AS MY SON'S FATHER?

From:

Sent:

To:

Cc:

Subject: Re:

Rejected for what?

Did you receive my 2 Exhibits?

Sent from [Outlook](#)

From:

Sent:

To:

Subject: RE:

The Court does not keep paperwork that is rejected.
Thank you,
Staff of Honorable

From:

Sent:

To:

Subject: Fw:

Sent from [Outlook](#)

From:

Sent:

To:

Subject: Re:

DO NOT DISCARD MY EXHIBITS!

I submitted ONE over the Portal and one in-Person.

Please confirm you have received.

, Father-Petitioner

FC

From:

Sent:

To:

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**