

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-088

Complainant:	No. 1389600543A
Judge:	No. 1389600543B

ORDER

The complainant alleged a superior court commissioner made an improper comment during a hearing. The investigation revealed that a pro tem judge heard the case, not the commissioner. After reviewing a response from the pro tem judge and the recording of the hearing, the commission decided to issue a private comment reminding the judge of his obligation to be patient and courteous and to promote public confidence in the judiciary.

The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 14 , 2010

FOR THE COMMISSION

/s/ William Brammer

J. William Brammer, Jr.
Commission Chair

Copies of this order were mailed to the complainant and the judge on September 14, 2010.

This order may not be used as a basis for disqualification of a judge.

Stott, Keith

From:
Sent: Thursday, April 08, 2010 4:06 PM
To: Commission on Judicial Conduct
Subject: Re; Complaint against Commissioner McGuire

My name is [redacted] My mailing address is [redacted] Daytime phone number is [redacted] and my cell number is [redacted]. The person I am filing a complaint against is Commissioner [redacted]. Today, April 8, 2010 I had a hearing at 10:00 with the Commissioner at the Jefferson Downtown office. I had a previous case at this court with John Schaefer setting the court order for his behavior regarding payments. It is the same case number that I am appealing. I have never had this commissioner before. My case is [redacted] vs [redacted] case number DR. [redacted] A gentleman and woman from the Attorney General's office were also at the hearing. I do not have a list of other people at the hearing and did not know their names. But they were the individuals that were seen right before me and right after me. I understand the commission does not have authority to reverse a court order or assign a judge. The information I have typed in is the only information to send so disregard the attachment. I affirm, under penalty of law, that the foregoing information and the allegations contained in this attached complaint are true. April 8, 2010.

I was told to go to the 11th floor, and sat there for 40 minutes with other people before someone went to find out where we were supposed to be. When I reached floor 5, I could not reach anyone in the courtroom to tell them I was there so the police officer told me to just go in. The judge was just asking the representative from the Attorney General's Office if he had brought all the wacko cases before him today. The rest of the people with a hearing at that time heard this remark, which offended me. He called my case up, and the Attorney General did not even have up to date information about my case. He told the commissioner that Mr. [redacted] had only paid consistently for the last 4 months (after his wages were finally garnished). He asked me what was important today to get achieved and I told him I wanted the child support arrears of \$4000 paid or that they should arrest Mr. [redacted] or take his insurance license away until he paid. [redacted] has put everything in someone else's name so child support cannot put a lien on anything he owns and owes back takes for his house so no one can go after his taxes. He has it all worked out and his son has paid the consequences! So has my health as I now have 6 ruptured disks because of the stress of this mess.

After talking to me for a few minutes and setting the requirement that Mr. [redacted] get medical insurance for Sean, he remarked that because the Attorney General's representative told him that Mr. [redacted] had a year old solid payments, he was letting Mr. [redacted] off the hook. I was treated like the criminal! The the Attorney for the generals office did not correct the information that he had only paid the last four months. I had a letter from Attorney General Terry Goddard who said that because he paid intermittently he could not do anything but was glad I was going to court. Commission [redacted] would not let me present any information or state that it had only been four months that he begun paying regularly. I tried to tell him that he had not paid for the last year or the last three years regularly, he told me to get out of his courtroom. He said that if I did not leave at that moment, he would have me physically removed. He refused to hear my case or the truth and the Attorney general representative did not state the correction of not paying for a year either.

I am emotionally disabled (and have the papers to prove it). I became very upset when the commissioner would not listen to the truth and refused my motion to make Mr. [redacted] follow the court order. I believe he was in contempt as he has played the Child Support system for years and was thousands of dollars behind. Mr. [redacted] was in a hurry to get through the cases because he was behind and I do not believe I had my day in court. In fact, I believe he abused his power by protecting this dead beat dad and punishing me for trying to state my case. He was horrible, and could care less that my son was not getting the money the court ordered!

I went out crying and wandered around the courthouse having people calm me down and I told plenty of people what had happened. I even went to see if I could get a lawyer since I could not afford one. I filed an appeal and a complain against the commission and filed it also with the court.

WHAT ABOUT THE KIDS? WHAT ABOUT DISABLED PEOPLE WHO HAVE A HARD TIME EVEN COMING TO COURT? Who is there for them? This guy sure did not care!

I am devastated but I am going back to the court on Monday to wait stand in to get a lawyer. One women at the court house said that these people have heard the stories so many times, they don't even care anymore about the kids and I so agree!

This commissioner should not have this kind of power only to abuse it on those powerless: the women and children having to try to make ends meet and eat while letting the real criminal, the person who continually disobeyed the court order and broke the law, off the hook.

And I requested that Mr. pay my court costs since he was the one breaking the law, but refused that too. Why should women who are trying to take care of kids without child support have to pay to bring these dead beats to justice?

I do not believe there is real justice anymore!