

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-065

Complainant: No. 1414710613A

Judge: No. 1414710613B

ORDER

The complainant alleged that a superior court judge who is her aunt improperly provided legal assistance to the complainant's sister in a family court proceeding. After reviewing the issues and the judge's response, the commission found no evidence of ethical misconduct on the part of the judge. Rule 3.10 of the Code of Judicial Conduct prohibits judges from practicing law generally, but allows judges to provide legal advice and assistance to family members. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 3, 2011

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 3, 2011.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2011-065****COMPLAINT AGAINST A JUDGE****Your name****Judge's name****Date:** 3.4.11

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

On or about March 2009, Alaysia Eben (petitioner) filed a motion in family court regarding my children for temporary custody. Judge paid for the filing fees. Alaysia's exact words were, "the filing fee was almost \$500" whipped out her credit card and swiped, and said that's how we get paid." Judge is my maternal aunt. Petitioner admitted to me, that Judge has assisted her in this case. FC 2009- telling petitioner she needed to file a motion for a change of judge, as the first judge assigned would not agree to petitioner's first pleading. After receipt of the court documents, I had gone to the self service center at the courthouse, and asked the clerk there what I needed to prepare a response. At that time the clerk asked how I got paper work, she stated "that paper has been pulled because people were abusing it, it was paper work petitioner had filed. Or about July 2009, Petitioner said that she and Judge listened to my testimony in her chambers regarding case CR2007 Lamont Mitchell to see if there was anything to use against me.