

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-131

Complainant: No. 1442410551A

Judge: No. 1442410551B

ORDER

The complainant alleged that a superior court judge made inappropriate statements during a hearing and an in-chambers meeting, and she improperly entered an order of protection and engaged in improper ex parte communications with a lawyer.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant and the judge's response, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: August 16, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on August 16, 2012.

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

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: May 16, 2012

This complaint is not on the outcome of the case made by the Judge. The complaint is on the biased comments she made during my temporary custody order hearing and the biased comments she made to my two daughters during an in-chambers interview which constituted judicial misconduct.

On January 18, 2012 at approximately 1645 hours in Division IV, Superior Court in I testified in Court about an incident leading up to the temporary custody hearing. While I was testifying on the stand Judge told me under no circumstances do I have a right to strike my child and I could not discipline my child that way. Under Arizona Revised Statue 13-403.1, it states, **"A parent or guardian and a teacher or other person entrusted with the care and supervision of a minor or incompetent person may use reasonable and appropriate physical force upon the minor or incompetent person when and to the extent reasonably necessary and appropriate to maintain discipline."** The Judge did not show impartiality and her comment was biased.

On January 18, 2012, Judge signed an order of protection against me so I couldn't have contact with my daughters. She signed the order presented to her by attorney hours prior to my hearing. I was served at 1200 hours and my hearing was set for 1500 hours. During the hearing she told if he had been more forth right with the information she would have never signed the order of protection. Signing the order of protection was premature on her part and she didn't take into consideration how I was going to view the situation. She discussed merits of the case with pending before Court was even in session.

On March 28, 2012, Judge had an in-chambers session with my daughters, and in Division IV, Superior Court in She interviewed both children at the same time. She asked the girls how they would feel if they were separated. When the girls gave their answer the Judge told them she had already made up her mind. She told this to a 16 and a 12 year old girl. Judge did not show impartiality or neutrality.

I believe Judge has been unfair, biased in her opinion, and I was pre-judged before Court was in session. Judges wield the power to change people's lives and shall act at all times in a manner promoting public confidence in the integrity and impartiality of the judicial system. I believe her actions constituted Judicial misconduct.