

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-036

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against her, failed to allow her to be heard, and made improper rulings in a dependency proceeding.

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 review, the commission found that the judge failed to accord the complainant the right to be heard. While this was improper under Rule 2.6(A), the Scope Section of the Code of Judicial Conduct provides that it is not intended that every transgression will result in the imposition of discipline. The commission decided, after considering all the facts and circumstances, to dismiss the complaint pursuant to Rules 16(b) and 23(a), but to issue a warning letter to the judge reminding him to ensure all parties are accorded a full opportunity to be heard before a ruling is made.

Dated: May 17, 2017

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all appropriate persons on May 17, 2017.

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

Comp

To whom it may concern...

2017-036

My name is [redacted] I am filing a complaint against [redacted] due to the treatment he displayed during scheduled court hearing on [redacted] which was scheduled at [redacted] however did not begin until [redacted] which is normal for his court to be late and cases to be completely rushed through.

On this specific date of [redacted] once court began all parties stated names for the record, [redacted] allowed the AG, [redacted] to begin and she stated, “

[redacted]”. Next to make a statement was [redacted] case manager who followed up by restating what [redacted] had stated. The next to make statement was my kids GAL who then stated, “ [redacted] My [redacted] ([redacted] attorney [redacted] stated she does not know where [redacted] is so she has no idea on what wants to do. My [redacted] was available and case manager [redacted] explained to him if he can stay clean for [redacted] he could get custody for my youngest 2 kids, due to case manager forcing a paternity test that I never wanted because [redacted] is not a role model for my children in any manner. Despite that [redacted] has never completed any services nor can pass a drug test, I also have clearly stated to case manager [redacted] I was given full custody of my kids away from [redacted] and his family for safety purposes, which I had to prove in a court of law for it to be granted. Again case manager purposely ignores.

Once all parties had made their statements and it was my turn to provide mine [redacted] refused to allow me to provide written or verbal documentation that every statement previously given was pure false. I also have / had a witness that can attest to the illegal and unjust behavior of the case manager and judge, she as well filed a complaint on [redacted] that was never submitted, her name is [redacted] and she can be contacted at [redacted] Advisory council, [redacted] did try to get the judge to allow me to rebuttal and again he refused his exact was to her were, “ [redacted]”. At that point [redacted] advised me to say [redacted] which I did do and then judge gave instructions to turn off recording. Then he began to walk out of the court room.

I was appalled to see such unjust behavior, I have included the original complaint that I was told had to be filed with the court, the receptionist name is also provided with original complaint. I did not know complaint had never been submitted until I did a follow up call this past previous [redacted] Again, I have written documented proof all statements proving they are false accusations including pictures of how my children have been mistreated [redacted] I am providing what I think is most important at this time because there is so much evidence to go through it would take days to thoroughly go over all of the documentation. If there are any questions please call me as soon as possible at [redacted] This has been my number for [redacted] and you are welcomed to leave any additional information that you would like to see.

2017-036

I deeply thank you for your time; all I want are my kids' home safe and sound with their mother.
Please someone help me. Attached is just some of the information to prove my concerns....

Signed,