

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-214

Judge:

Complainant:

ORDER

The complainant alleged a pro tem superior court judge coerced him into signing legal documents in a family law 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.

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

Dated: October 12, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on October 12, 2017.

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

2017-214

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 7-30-17

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.

SEE ATTACHED TWO PAGES

(Attach additional sheets as needed)

2017-214

On _____; I appeared before Honorable _____ in _____ for a Settlement Conference with _____ and my ex-wife. I appeared in person, but my ex-wife appeared telephonically. My ex-wife's counsel, _____ also appeared in person. I appeared without counsel as I didn't know I was supposed to have counsel present and I wouldn't of been financially able to have counsel any way.

My ex-wife discussed her side of the settlement in the court room with _____, while I was in the judges chambers and the judge discussed my side of the settlement in his chambers. _____ informed me that she wanted _____, one half the amount of the new house I built, while we were married, was appraised for. I told _____ that I owed her nothing as I paid for the new house with my own money. Money that I had saved up for 37 years after buying this property. The old house, on this same property, was built in _____ and was beginning to fall apart and was not repairable. She put no money in to building the new house. Also, she signed a Quit Claim Deed when I re-financed the new house as she had run up _____ in debt I couldn't pay for. _____ told me that the Quit Claim Deed didn't matter and I had to make a counter offer, so I offered one half the money we got from the Reverse Mortgage re-finance. That was _____ . I was also told to sign a Promissory Note and a Deed of Trust. I told

_____ that I didn't want to sign them, but he told me there would be consequences if I didn't, so I signed them. I was told to sell my house and/or two hot-rods, that I built, to pay her off. I was unable to sell the house or the cars. _____ even made me turn over the titles to the cars to a local attorney, but even she couldn't sell them. My ex-wife then asked the court to make me make payments and we settled on _____ a month. I made payments for four years, but I had to have two cancer surgeries on my left ear and I came down with pneumonia in between those two surgeries and spent three days in the hospital. I missed a lot of work and couldn't make the full payments, but I did send her _____ a month during that time. I had also sent two make-up checks which she accepted and cashed.

My Ex-wife took me back to court. _____ declined to hear the case and it was turned over to _____. I offered her a check for the _____ I was behind, the first day we were in court, but her attorney refused the check. Now she wants over _____ + and about _____ in attorney fees. _____ has ordered me to sell my home and the court has set the price. Also, the court will lower the price by _____ every two months until it sells. At this rate, I will get nothing and be homeless. I am _____ years old and not in the best of health. I still work part-time and have a severe case of Bell's Palsy. Some days the pain is too much and I can't go to work.

MY COMPLAINT AGAINST _____ IS THAT HE MIS-INFORMED ME ABOUT THE QUIT-CLAIM DEED. IT IS A VALID DOCUMENT AND SHE HAD NO RIGHT TO RECEIVE ANY MONEY FROM ME. _____ ALSO PRESSURED ME IN TO SIGNING THE PROMISSORY NOTE AND DEED OF TRUST. I KNOW HE IS A JUDGE AND I AM A NO-BODY AND HE WILL DENY MY CLAIMS, BUT THESE CLAIMS ARE TRUE. I WILL ALSO BE FILING A COMPLAINT AGAINST _____ AS HE KNOWS THE QUIT-CLAIM DEED WAS VALID, BUT IS STILL HOLDING ME TO THE PROMISSORY NOTE AND DEED OF TRUST.