

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 17-289

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge engaged in improper demeanor, was biased in favor of one party, and chastised those who disagreed with him.

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 no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission approved sending the judge an advisory letter, suggesting that he refrain from using terms of endearment in court so as not to violate Rule 1.2. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission member Colleen Concannon did not participate in the consideration of this matter.

Dated: March 21, 2018

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on March 21, 2018.

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

Arizona Supreme Court, Complaint Division  
1501 W Washington St #411  
Phoenix, AZ 85007

To Whom it May Concern:

My reason for writing you today is multi-faceted. First, I would like to file a complaint against Judge [redacted] in the [redacted] Court. Subsequently, I request your urgent assistance with the matter at hand and ask your office to intervene immediately in an attempt to avoid the tragedy that is about to take place.

In [redacted] was in a devastating car accident. As a result, she incurred [redacted] Although I was very thankful that [redacted] survived this tragic event, she as a person and her personality were forever dramatically and permanently changed. Her ability to function and create a stable lifestyle has been compromised and therefore, her decision making in regard to day-to-day activities and personal relationships she enters are both flawed and dangerous.

[redacted] has [redacted] after [redacted] birth she ended up in the emergency room (with a subsequent [redacted] hospital stay) due to [redacted] inflicted by [redacted] That is when [redacted] took action and placed both [redacted] with [redacted] We have been [redacted] and working with [redacted] toward [redacted]

As we progressed toward our goal, we suddenly experienced a change in Judges and were basically forced to start the process over. The new Judge after hearing testimony from [redacted] agreed with the goal of [redacted] during an [redacted] hearing earlier this year. Since then we have been on a rollercoaster. Recently the Judge has changed his tune and began leaning toward [redacted] between [redacted] He has seemed confused and mixing up and placing inaccurate information onto court record.

If placing [redacted] was a healthy option, and the right thing for [redacted] I would support it strongly; however, that is not the case. [redacted] doctors including neurologists, psychologists, and specialists in the study and care of [redacted] have clearly stated that [redacted] cognitive deficits and inherent psychological issues result in her not being able to parent safely. [redacted] s not something that heals, that one can be treated for or that just goes away. It is permanent damage to the brain. [redacted] has also been diagnosed with [redacted] My [redacted] now (permanently) has the mind of unpredictable child, and is clearly unable to safely address the [redacted] As heartbreaking as it is, this is [redacted] fate, my family's fate.

Not only can [redacted] not make logical and safe parental decisions, her parenting style is very volatile, including pushing, pulling, threatening and hitting. Also, she disengages and does not monitor [redacted] adequately. [redacted] the [redacted] aggravated by the trauma in his early years with [redacted] even at her young age shows behaviors from the results of the trauma she experienced in [redacted] care for the initial [redacted] of her life; for which she is presently being evaluated and treated. [redacted] is terrified at the prospect of being returned to [redacted] and the [redacted] don't even know her other than their negative experiences during the [redacted] they have been forced to endure during this extended nightmare.

has never even succeeded at feeding the children a meal, only snacks, at these so how is she to care for children with such special needs on a full-time basis? She does not have the cognitive or financial capabilities to do so and never will. Additionally, failed to succeed during a of in the presence of a doctor, and failed with parent aides. is so bad that she got lost in the Courthouse and could not find the hearing room we have been using consistently fo

Yesterday in court we entered a courtroom with a Judge that was angry, red-faced, and belligerent. What placed him in that mood was unknown to any of us involved until he made it plain that he was angry because was appealing his recent decisions. He then demanded that the remove herself from the case because he did not like her. His process seems to be to request/force to remove anyone who does not agree with his present stance. I learned today that he was that has been a true advocate for the best interest of during the last Now I've heard that he has requested a new counselor/doctor experienced with to replace (because he testified that is not safe to parent?).

While the doctor's and specialists were in mid-testimony, Judge would continually interrupt them on behalf of And he has never addressed the special needs of or how with and extensive special needs herself can take care of the special needs of Judge generally refused to listen to anything and anyone and stated that all the and the doctors were " " against comments that stunned all involved. He ended the hearing by ordering a for to be sent to as early as !

During proceedings, the Judge has continued to use endearments when communicating with such as sweetie, honey, my dear etc. rather than calling her by name. I feel this is very inappropriate in a Court of law and considering all of this, I would question who the appropriate person would be that deserves the label of "bias".

Judge ntent to send home to live with puts safety and well-being at grave risk. The doctor's, the that has been working the case, and the entire have serious concerns about the Judge's course of action and the well-being of in potential care.

I was not planning on raising at this stage in my life, We have devoted the remainder of our lives to raising them in a safe and loving environment. I do not understand the length of this Court battle ( ?) when the facts are so clear cut on a medical and psychological level. It's been torture. If the facts could be changed, I would help change them, because I love out that is not to be. And the roller-coaster of the last has only undermined our family's ability to heal and move forward so that an feel " " anc can play a safe and healthy role in lives, which can only happen after the issue is final.

In conclusion, I once again request your urgent assistance with the matter and ask your office to intervene immediately in an attempt to avoid the continuance of this travesty before are placed at risk for injury or even worse, loss of life.

Our family has already experienced too much pain and loss . . .

Sincerely,