

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-080

Judge:

Complainant:

ORDER

June 25, 2020

The Complainant alleged a superior court commissioner made improper rulings in a family law matter.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on June 25, 2020.

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Formal compliant regarding Judge

Good Afternoon,

I am requesting to put in a formal compliant regarding Judge _____ who is currently the assigned judge to my child custody/support case, _____ This complaint is based on the following:

The judge did not properly consider or weigh all of the admitted evidence. The judge made an error in the admission or rejection of evidence, or other errors of law at the trial or during the action. The judge mistakenly overlooked or misapplied uncontested facts, and the judgment by the judge was not supported by the evidence or is contrary to law. Judge _____ did not act in a fair and unbiased manner during this case proceedings.

Judge _____ admitted as to fact based on the petitioners testimony that there was an "agreement" between I and the petitioner of _____ a month. Judge _____ then ordered past care in support judgement from _____ to _____ in the amount of _____ per month. Judge _____ disregarding the fact that I, the respondent, filed for child support with the state of _____ prior to the petitioner filing the petition in _____

Judge _____ allowed all past payments from the petitioner be considered "child support" including gift money despite there being no child support orders in place. The judge also gave the petitioner a credit over the amount that was actually paid.

Judge _____ did not follow court procedures regarding the calculation of child support amounts despite the evidence submitted (_____) by the petitioner which stated that his income was higher. The petitioner testified that his income was less then the evidence submitted but did not provide an

evidence to support that testimony. Based on the current child support calculations I have been awarded two out of three dependency exemptions but the petitioner is able to claim exemptions every other year.

Judge _____ gave the petitioner a credit for child support for another child that is not living in the home based on the petitioner's testimony despite no evidence being provided of court ordered child support.

I appreciate your time in reviewing this matter.

If you have any questions or concerns, please feel free to contact me at _____ .

Thank you,