

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-360

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Judge:

Complainant:

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**ORDER**

March 24, 2021

The Complainant alleged a superior court judge was biased against her and made erroneous 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).

Commission member Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 24, 2021.

**CONFIDENTIAL**

Arizona Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

**FOR OFFICE USE ONLY**

2020-360

### COMPLAINT AGAINST A JUDGE

Name: \_\_\_\_\_ Judge's Name: \_\_\_\_\_

**Instructions:** Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

She showed favoritism towards the father by changing the tax \_\_\_\_\_ for our dependent. My petition specifically stated to keep the taxes \_\_\_\_\_ the same. I had allocated my payroll taxes to reflect what had been in place for almost \_\_\_\_\_ This has now caused an undue hardship. (see exhibit 1 & 2 attached)

She allowed \_\_\_\_\_ to lie under oath regarding childcare when I submitted documentation that I had paid for it when I filed my financial affidavit on \_\_\_\_\_. It is apparent she never looked at previous documentation thoroughly. I also lost final medical say because she didn't look at the original parenting plan where both \_\_\_\_\_ and myself signed off stating such. (see exhibit 3)

She did not hold him accountable for providing me or the courts documents requested by a specific time, during our first hearing on \_\_\_\_\_ she stated that she could impose fines and sanctions for not complying but never even reprimanded him for his non-compliance. She allowed him to not turn in an updated financial affidavit which was required to prior to our final court hearing and took his word that nothing had changed.

She read emails between myself and \_\_\_\_\_ and is allowing him to harass/bully me stating in her ruling that I am emotional. I continue to this day to get harassing emails especially on my days that I have him.

During trial, I was not allowed to refute any of \_\_\_\_\_ statements, many of them untrue especially when it came to childcare, his work schedule and medical conditions.

I feel like I am being punished by the family court system for a being a single mother over and over again. I am emotionally frustrated by the one sided judge who favors the married father. Since Judge \_\_\_\_\_ continues to rule in \_\_\_\_\_ favor, he thinks he's above the law and our custody agreement since he is never held accountable for his actions.

Irreparable harm is being done to not only me but my son as well by the family court system which condones bad behavior. I can now see the frustration other parents have with the court system.

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Exhibit 1

Case No. \_\_\_\_\_

to pay \_\_\_\_\_ % of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

**E. FEDERAL INCOME TAX DEDUCTION.**

The right to claim the minor child(ren) as a deduction for Federal income tax purposes should be divided as follows: Person entitled to claim: "A" for Party A, "B" for Party B.

Claim by:	Name of Child	Starting Tax Year:	
<input type="checkbox"/> A <input type="checkbox"/> B	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other
<input type="checkbox"/> A <input type="checkbox"/> B	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other
<input type="checkbox"/> A <input type="checkbox"/> B	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other
<input type="checkbox"/> A <input type="checkbox"/> B	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other

**F. OTHER ORDERS.** I request further Orders relating to this matter as follows:

Tax deduction to remain the same, party gets even and party gets odd

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**G. DECLARATION UNDER PENALTY OF PERJURY**

**UNDER OATH OR BY AFFIRMATION**

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date \_\_\_\_\_ Signature \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to or affirmed before me this: \_\_\_\_\_ by \_\_\_\_\_  
(date)

\_\_\_\_\_

(Notary seal)

\_\_\_\_\_  
Deputy Clerk or Notary Public

Exhibit 2

5. The costs of medical, dental and vision expenses not paid by insurance shall be shared as follows:  
Father: %                      Mother: %
6. The costs of travel related to parenting time over 100 miles one way shall be shared as follows:  
Father: %                      Mother: %
7. The parties shall exchange financial information such as copies of tax returns, earnings statements, a Parent's Worksheet for Child Support Amount, residential addresses and the names and addresses of their employers every
8. The court allocates the federal tax exemption for the dependent child as follows :

Child's Name	Date of Birth	Parent Entitled to Deduction for Each Calendar Year				

For any years following those listed above while this Child Support Order remains in effect, the parties shall repeat the above pattern of claiming deductions for each child.

Each year, the obligor may claim these exemptions only if the obligor has paid all child support and arrears ordered for the by

**IMPORTANT INFORMATION:**

If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_

OF ARIZONA

In Re the Marriage of:

and

Petitioner,

Respondent

No.

PARENTING PLAN

1. *This Plan concerns the following child:*  

<b>Child</b>	<b>Birthdate</b>
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2. It is in the best interest of the parents' minor child for both parents to be awarded joint legal custody and joint physical custody of the child with neither parent designated as the primary physical custodian of the child. The child shall reside with both parents equally at the following times:
  
3. **Parenting Time Schedule.** Parenting time will be equally divided as follows: See attached.
  
4. **Decision Making.** Decision-making will be shared between Mother and Father as follows:
  - A. **Education Decisions.** Both parents will have the right to participate in school conferences, events and activities, and the right to consult with teachers and other school personnel.
  - B. **Medical & Dental Decisions.** Mother and Father will make the final decisions about the child's medical and dental care together. If they are unable to agree on a particular decision, then that final medical or dental decision will be made by Mother.
  - C. **Religious Decisions.** Each parent may take the child to a church or place of worship of his or her choice during the time that the child is in his or her care.
  - D. **Review of Parenting Plan.** Both parents agree to review the terms of this joint custody Parenting Plan and make any necessary or desired changes that they can agree upon every after it is approved by the court.
  - E. **Dispute Resolution.** Both parents will informally discuss any proposed changes, disputes, and alleged breaches of the Parenting Plan and attempt to reach resolution.
  - F. The parents understand that joint custody does not necessarily mean equal parenting time.
  
5. **Relocations.** Neither parent will move the child outside of \_\_\_\_\_ without prior written approval of the other parent or a formal court order granting permission.
  
6. **Parental Access to Records & Information.** Under Arizona law (A.R.S. §25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the child's education and physical, mental, moral and emotional health including medical, school, police, court and other records directly from the custodian of the records or from the other parent. A person who does not comply with a reasonable request shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey the request. A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to appropriate legal sanctions.

**THE COMMISSION'S POLICY IS  
TO POST ONLY THE FIRST FIVE  
PAGES OF ANY DISMISSED  
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE  
REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**