

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-035

Judge:

Complainant:

ORDER

April 21, 2021

The Complainant alleged a superior court judge engaged in improper demeanor and failed to accommodate her disability.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 21, 2021.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-035

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.

First, I want to let it be known I have PTSD I do everything in my power to let people know and to keep under control but I have a disability which I disclosed before court. Now this started before court when I called and let the court know I had PTSD and that my ex threatened to kill me and that I could not be left with him. When I got there, I did what they instructed and called to be placed in another room just to be told it was not available and I would have to wait in the hall with him, then in the court room with him only to start court highly unable to breathe. Now to get into the problem in the court room. I have been in a situation where my Ex-husband has been threatening my life and has caused domestic violence in with me. I had to get an order of protection due to the _____ of threats and _____ police involvement I opted to stay out of my court case to try keep my life being harmed. That was until I asked where we were in the divorce. He told me it was none of my business and we started to fight until our fighting got so bad over everything that it got physical and he hit me. I called the police and filed a report. I then went to the courts to find out what was going on where I found out nothing I thought was happening was actually happening and tried to find out what I could do. They told me I had defaulted, and no rights and my only chance was to see the judge. I planned on going to the court the following court date to hope to get some help with my situation. After finding out I had been at the courthouse my ex went crazy and started texting me about being in his house and that he was going to kill me. I had to go to the police to have them tell him to leave me alone and they decided to arrest him for threatening me. He is currently waiting for his court date on those charges. I had tried to let the judge know about my order of protection and the charges and but due to my PTSD and inability to stand up for myself properly she took my behavior as inappropriate. I told her that there is a law that we cannot have joint custody due to the situation and that it was her in a previous case that had told me about the law. She told me that I was going to be held in contempt of court because there is no such law. After being able to calm down from my PTSD I was able to locate the information, in 25-403.03 Domestic violence and child abuse. There are many sections of this where it can be seen that the other party threatening me to get his way and physically harming me to do what he wanted with me and she was inappropriate to be able to allow sole custody but instead of listening she threatened me. This was completely inappropriate for the situation at hand. I do not know if it was a lack of victim's services provided by this county or if it is this judge, but I am not ok with the way this was handled and believe that this should be dealt with. If needed I am more than willing to provide any documents that I was willing to provide the court at the time of the orders to show that this was not handled properly. After everything I have been through with my PTSD I feel like I have been taken advantage of now by the men in my life and now this county who has no domestic violence rights set up for victims in family law court. This is highly disappointing these times. Why is there nothing that could have been done to help me when I finally came to the court for help instead of being thrown back to the ground by the court and made to feel like I was nothing again. I thought the court was there to do what was right, but my ex told the court he had not seen his daughter for a _____ and still had not planned on taking her at this time and they still awarded him joint custody and _____ time just giving him power over my life. Do I have no protection and no help in this county? Does this state care if he kills me? Because it does not seem like it.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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.

I honestly do not know if this should be a complaint against the judge or against this county. There should be victims' rights that should have been put in place as soon as I made clear that I was being threatened to stay away from the court.