

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-068

Judge:

Complainant:

ORDER

August 14, 2024

The Complainant alleged a superior court commissioner (now retired) delayed ruling on her family law case.

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 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 Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 14, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-068

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.

In Judge ordered monthly spousal maintenace in the amount of \$.
In a motion to enforce these orders was filed for spousal support.
Again in a motion to expedite ruling on motion to enforce was filed.
Judge refusal to rule and enforce these orders has left me in a bad place financially casuing constant daily stress as my housing and ability to survive financially is in jeopardy and has been for the past months.
I am respectfully requesting review of this as I dont believe justice is being done here.
The other party is not being held accountable or penalized for refusing to abide as the Judge will not enforce his own orders. Attached are documents showing the above mentioned motions and orders to support my complaint.

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By:

ARIZONA SUPERIOR COURT, COUNTY

CONSOLIDATED

HON.

CASE NO.

COURT REPORTER: Digitally Recorded
Courtroom -

DATE:

Esq. counsel for Petitioner

Petitioner

and

Esq. counsel for

Respondent

Respondent

In Proper Person

Plaintiff

VS.

Esq. counsel for Defendant

Defendant

MINUTE ENTRY

TEMPORARY ORDERS HEARING

Both parties are present, appearing via Microsoft Teams.

Respondent's Exhibits A and B are identified as follows:

1. Copy of text messages
2. Copy of screenshot

The Court, counsel, and the parties confer as to the issues before the Court.

IT IS ORDERED that the parties shall attend mediation as set forth in a separate order issued through Conciliation Court. In the event the parties have not previously completed a Parent Education Class, they must register immediately for the class either online at _____ or by calling _____

The class must be completed within thirty (30) days from the date of this order. You must have the court case

Deputy Clerk

MINUTE ENTRY

Page 2

Date:

Case No.:

number and your parent education fee receipt number in order to register. Register early since classes fill quickly. Once the parties have registered for the Parent Education Class, mediation will be scheduled. Failure to complete the class and/or mediation may result in the setting of a Contempt Hearing.

Based upon the agreement of the parties,

IT IS ORDERED as follows:

1. The parties shall exercise parenting time on a week-on-week-off rotation schedule as follows:
 - a. Commencing _____, Petitioner shall exercise parenting time with the minor children Monday through Sunday, from 9:00 AM to 8:00 PM, each day, whether Respondent is working or has other plans. In the event Petitioner is called in to work during his parenting time, Petitioner shall notify Respondent of same, and the minor children shall be returned to Respondent.
 - b. Commencing _____, Petitioner shall exercise parenting time with the minor children from Monday through Sunday. In the event Petitioner is not working during Respondent's parenting time week, and Respondent is working, Petitioner shall be permitted to exercise parenting time with the minor children during Respondent's working hours. Petitioner shall return the minor children to Respondent after her return from work, unless otherwise agreed upon by the parties.
 - c. In the event either party is not working during their respective parenting time, the non-residential party shall be permitted to exercise parenting time with the minor children while the other party is working.
2. At such time that school commences for the minor children, the forementioned schedule shall continue. Each party shall be responsible for managing the minor children's homework, school drop off and pick up, and any activities for said minor children.
3. Petitioner shall transport the minor children for all parenting time exchanges. Said exchanges shall occur curbside at Respondent's residence, wherein Petitioner shall remain in his vehicle and Respondent shall remain in her residence.
4. The parties shall communicate via text messages regarding scheduling and any other issues regarding the minor children.

Deputy Clerk

MINUTE ENTRY

5. In the event either or both minor children have any out-of-state tournaments, either party shall be permitted said travel with the minor children; the parties shall cooperate to determine which party shall transport said minor children.
6. Both parties shall be permitted to be present at the minor children’s tournaments and/or sporting events.
7. Either party may vacation out-of-state, providing notification with travel information to the other party.
8. Petitioner shall continue to make minimum payments on the credit cards, as set forth on the record. Petitioner shall be responsible for any new charges to said credit cards after the date of service.
9. Petitioner shall pay monthly child support to Respondent in the amount of \$ _____, and monthly spousal maintenance in the amount of _____ Respondent shall be responsible for the mortgage payment on the marital residence.
10. _____ shall provide a current mortgage statement to _____ close of business on _____ to determine whether the mortgage payment is current and when the next payment is due.
11. Petitioner shall check the status of the mortgage every month. In the event the mortgage becomes late or is past the grace period, Petitioner shall notify _____, and _____ shall notify _____ of same; _____ shall prepare and submit a termination of the Child Support Order. At such time, Petitioner shall pay the mortgage directly as for child support.

The Court expects all parties to be respectful, and to understand that the Court may review any text messages and communications between the parties.

_____ will prepare and submit an Income Withholding Order to the Court.

_____ agrees to accept service for petition for order to appear from _____, waiving any defects in service.

Respondent’s exclusive use of the marital residence is affirmed, as previously ordered by the Court.

IT IS FURTHER ORDERED that all non-offered and/or non-admitted exhibits shall be released to the parties.

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Deputy Clerk

**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.**