

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-149

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Judge:

Complainant:

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**ORDER**

July 23, 2024

The Complainant alleged a superior court judge improperly ruled on a number of significant child custody issues without Complainant being permitted to appear virtually to contest them.

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 July 23, 2024.

2024-149

**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.

Abuse of Discretion Denial of Statutory Rights Erroneous court orders, such as support, placing a warrant on mother for contempt of court, Mis-use of Judicial system.

1. On [ ], Judge [ ] denied [ ] her Statutory Right to Appear to a Hearing. ARS Title 13, Chapter 40 states victims' right to appear.
2. [ ] filed to appear to the [ ] hearing electronically due to child's medical needs and Residency and was ignored. See Exhibit [ ] ( [ ] phone number) is on hold on the screen of the recording court hearing. APP. 51 Petition for Special Action
3. Judge [ ] ordered mother, [ ] to pay child support erroneously. [ ] filed taxes for [ ] and in [ ] and has disclosed her tax transcripts. Judge [ ] ordered support based upon erroneous information supplied by opposing attorney, rather than the tax transcripts that were supplied. Child lives and has always lived ( [ ] years) with mother full time. Father makes an income to substantiate otherwise.
4. Judge [ ] ignored or denied [ ] filings, including Appeals and the next request to appear remotely and to reschedule [ ] hearing due to [ ] being in the hospital with the handicapped child. Judge [ ] again denied [ ] statutory right to appear remotely and further ordered erroneous orders to be in contempt for not appearing and not following his court orders while the case was in appeal. See Secure Ventures, LLC v. Gerlach in & for Cnty. of Maricopa, 249 Ariz. 97, 99 P 4 (App. 202)
5. Judge [ ] continues to ignore the child is handicapped and that the mother and child are residents of [ ] and assumes AZ jurisdiction, regardless of the fact the father was not on the birth certificate and the parents weren't married when the mother and child re-located to [ ] in [ ]. COVID was in full force.
6. Judge [ ] continued to order [ ] in contempt of court for not following court orders. The court orders were erroneous demanding things that were both impossible to produce in a timely manner and impossible to enact due to the child's medical needs. Judge [ ] even ordered a warrant upon [ ]
7. Judge [ ] has abused discretion and detrimental to the best interest of the child and not allowing testimony from the mother, nor her statutory rights to appear, not even remotely when he has been given the information multiple times that the child and mother are residents of [ ] and the child has MEDICAL Needs that limit his ability to travel and the mother's ability to care for him in order for her to appear to AZ court in person. Ariz. R.P. Spec. Act 1 (a) Special Action filed and attached to this complaint. J.A.R. v. Superior Court, 179 Ariz. 267,273 (App. 1994)

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

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COURT OF ARIZONA  
COUNTY

HONORABLE

CLERK OF THE COURT

Deputy

IN RE THE MATTER OF

AND

JUDGE OFFICE

MINUTE ENTRY

The Court has received Respondent's  
good cause appearing,

*Motion for Virtual Appearance.* No

**IT IS ORDERED** denying the motion.

The Court notes that it previously issued a warrant for  
appear in-person with the Child as previously ordered, the Court would likely quash said  
warrant.

Should  
vacated. not appear in-person for the hearing, the hearing will likely be

COURT OF ARIZONA  
COUNTY

All parties representing themselves must keep the Court updated with address changes.  
A form may be downloaded at:

Attorney for Petitioner

**ARIZONA**

v.                    Petitioner,  
Honorable                   , Judge of the  
County                    Court,  
and                    Respondent,  
  
Real Party in Interest.

No.                     
County                    Court

**PETITION FOR SPECIAL ACTION**

(Mother) urges a special action because the court made a best-interests determination for a special needs child after wrongfully excluding testimony of Mother, who has been the child's primary caregiver since Child's birth and sole caregiver for the last                    years.

Mother has lived with Child – a                    prone to                    –in                   , since                   . Before that, she lived in Arizona and nearly exclusively provided Child's care while (Father) sometimes helped. But the                    court refused to hear Mother's

**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.**