

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-218

Judge:

Complainant:

ORDER

October 8, 2024

The Complainant alleged a superior court commissioner misinterpreted the law, was too old to hold his seat, was inappropriate for this case, and violated her right to be heard during her harassment injunction hearing.

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. Under Article 6, Section 39 of the Arizona Constitution, there is a mandatory retirement age for judges and justices of a court of record, however, this provision is inapplicable to superior court commissioners which is the position held by the judicial officer in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission members Denise K. Aguilar, Barbara Brown, and Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 8, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-218

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.

The judge heard our appeal to a harassment injunction, which was filed against my year old daughter by an "adult" women. My daughter was sexually harassed and stalked at her high school for months by the plaintiff's granddaughter. My daughter ended up fighting her abuser at her high school and both girls were suspended for days. Upon her return to her school, she was escorted off campus by a police officer and not allowed to return back to school for the remainder of the year, because of this ridiculous harassment injunction. My daughter did not fair well in the fight and the plaintiff's granddaughter circulated videos and photos claiming that she was the "winner" of the fight, yet, it was decided by Judge that the injunction would stay in place and that my daughter would no longer be able to attend her home high school. He refused to listen to any facts behind what had transpired leading up to the fight. He seemed to lack any kind of real-world knowledge of how social media works in this day and age, or even understand what sexual harassment really is, and what a huge part it played in this incident. He was dismissive, rude, and unwilling to listen to any facts. I do not believe it's reasonable for a judge to decide that because my daughter finally confronted her abuser, that she can no longer attend her home school in our neighborhood. This should have been a matter for the school and not for the legal system. Furthermore, the judge appears to be of retirement age and seems out of touch with reality. He went as far as to say that "his" children attended my daughter's high school and he had never seen anything like this, which means nothing and is irrelevant. There are fights nearly every week at her school and these fight videos are circulated on a regular basis. Again, he seems out of touch with the social climate that we live in and for him to decide that a year old girl cannot attend her school, where our home has been for the last years is LUDICRIS. It's unfortunate that was our judge, and not someone that had some sensitivity to the fact that he was dealing with a year old girl, that had been tormented and sexually harassed for months.