

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-320

Judge:

Complainants:

ORDER

November 22, 2024

The Complainants alleged a superior court commissioner made improper rulings by not allowing the withdrawal of a guardianship petition.

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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 22, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-320

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.

SEE ATTACHED (10 PAGES)

Clerk at Court said this is NOT TO BE FILED, But to MAIL it to the office. But when I came in to the office I WAS TOLD THIS HAD TO BE FILED AT THE COURT I AM ~~FILE~~ TO FILE it AT THE COURT I AM COMPLAINING ABOUT.

I SPOKE TO A SUPERVISOR AT CLERK'S SERVICE Counter. HE GAVE ME PHONE # TO A SUPERVISOR AND EMAIL TO FORWARD MY COMPLAINT.

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COPY

CLERK OF THE

COURT

DEPUTY CLERK

FOR CLERK'S USE ONLY

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: None

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

**COURT OF ARIZONA
COUNTY**

IN

In the Matter of: _____

Case Number: PB _____

TITLE: Guardianship Conservator
for

a minor an adult deceased

Explain what you want the Court to order. The Judge may grant, deny, or change your request (or "motion"). A ruling will be issued by "minute entry."

I am filing my objections to the Judge. Along with a copy of my formal complaint to the ARIZONA COMMISSION JUDICIAL CONDUCT. [SEE ALL ATTACHED DOCUMENTS] 17 PAGES

RE:

POA// GUARDIANSHIP CASE #

GOOD MORNING JUDGE

This letter is in regards to the objections on this case moving forward as you instructed me to do so as per the last court appearance on _____ :

(1.) Asking for the GAL and Court Appointed Attorney be removed off our Probate case. Would like for the case to be dismissed and or withdrawn. We are requesting this on the grounds of:

Abuse of authority, retaliatory conduct displayed by _____ as well as the whole team and staff that the court has appointed for us. _____ and I both feel it's a Conflict of Interest, and violation of the following ARS codes:

ARIZONA CODE OF JUDICIAL ADMINISTRATION CODE OF CONDUCT JUDICIAL EMPLOYEES: RULE 1.3 Abuse of Position //RULE 2.2 Impartiality and Fairness//RULE 2.3 Bias, Prejudice, Harassment// RULE 2.11 Personal Interest...

(1.) _____ evaluation report was received on _____ via US mail. _____ and I are not in agreement with the evaluation _____ wrote. We would like to get another one recorded on record. We totally disagree with his statement in the report that _____ is incompetent. She in fact is very competent. She refused to give him her banking information, as well as her current medications she is taking. That is her right not to disclose. She has worked as a highly decorated nurse for decades. She hasn't forgot her rights as a nurse or a patient. She is fully aware of the HIPPA rules and regulations. His reason was not professional, nor was it based on a medical analysis or diagnosis. More or less it was based on his personal reaction to her response. When he asked the question, he expected her to answer him, and not oppose. _____ provided more of his personal opinion more than his professional and medical evidence.

(2.) _____ and I are objecting the fact that my name _____ as her appointed POA has been removed from the docket. We have not received any documentation as to why. In which we feel this was done by _____. We also feel like this is just another one of his wrong doing and undermining tactics.

(3.) We are formally requesting a copy of the court date for _____ As well as all copies of reports filed on this case. We have yet to get a copy of _____ & _____ reports.

(4.) For the record, we object to Attorney _____ refusing to answer my direct question about what told me, on our last phone conversation. He told _____ and I, that my brother _____ has already been given notice in _____. That he's pretty much out of the scope of contesting anything. {I have a witness that was present with me, when we had this conversation. My witness is willing to testify under oath if necessary.}

So, once again we believe that the court is allowing the abuse of authority, harassment and retaliatory conduct from [redacted] & [redacted] to manipulate. To keep this matter in court, and make things very uncomfortable for Beverly and family. This matter has caused a lot of turmoil with the household. [redacted] has stated that he wants nothing to do with this court or any of [redacted] affairs. All this undermining and challenging has to cease or stop. This whole court case has caused [redacted] and I a lot of unnecessary stress. [redacted] has said from day one, that she doesn't want or need any services from the court. [redacted] requested to withdraw on record, as she stated on the stand and in writing.

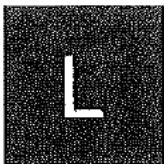
Inclosing, we do not wish to continue with this matter with [redacted] and [redacted] assigned as GAL. We do not feel comfortable or safe, working with [redacted] due to our past issues of Abuse of Position, Retaliation, Harassment, which has been explained. I can't find an attorney that will take my case with [redacted] on it. On our last court date [redacted] you continued this matter with 3 more court dates and a trial? [redacted] has appointed [redacted] her daughter as POA.

We don't need to be monitored, as suggested by [redacted] in his report. [redacted] is not being abused, neglected, nor is she in any danger. So therefore, she does not need to be protected by the courts. As explained by Attorney [redacted] as to why the state has decided to pick it up, after we both requested to withdrawal this matter earlier this year. [redacted] does not need to be in a facility she has family, friends that are medically inclined professionals, as well as myself to help take care of her if needed. She needs to remain in her home where she is familiar and comfortable. You send someone to a facility, if there is no one to take care of the unstable patient, or if they have nowhere to go. [redacted] does not fit these criteria at this time.

We feel like we are being forced to accept this matter, Abuse of Authority, Retaliatory conduct displayed by [redacted]. We are not being heard on the issues, nor is the conduct being addressed. Meanwhile [redacted] is running up unnecessary bills. We feel it's a Conflict of Interest, and violation of the following codes, ARIZONA CODE OF JUDICIAL ADMINISTRATION CODE OF CONDUCT JUDICIAL EMPLOYEES: RULE 1.3 Abuse of Position //RULE 2.2 Impartiality and Fairness//RULE 2.3 Bias, Prejudice, Harassment// RULE 2.11 Personal Interest.

Respectfully

POA for



ReplyForward

Add reaction

**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.**