

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-341

Judge:

Complainant:

ORDER

December 17, 2024

The Complainant alleged a municipal court judge made multiple improper rulings and defamed her and her husband in two protective order cases.

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 Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 17, 2024.

2024-341

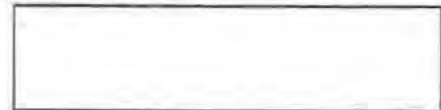
COMPLAINT AGAINST A JUDGE

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.

Orders of Protection were issued against my husband, [] and me without any evidence because there is no evidence. We cared for, babysat, and provided medical care and made medical decisions for our neighbors' grandson. [] formerly known as [] DOB: [] from [] while they were OUT OF THE COUNTRY. My husband took [] ([]) and [] and [] to the airport on [] while I went to [] baseball game and brought him back to our home. We were very involved in [] life after their son overdosed on [] and [] on [] until [] and [] decided to remove us from life and attempted to destroy our lives. They destroyed our reputation and Judge [] and his clerks [] and [] contributed to the civil and criminal defamation of our character and felony assault against medical personnel/mandated reporters. In fact, Judge [] held us liable for reporting child abuse with the statements that he made in closing. As a mandated reporter, I only have to suspect child abuse and I know for a fact that this child has been abused and there has been medical neglect and we made a good faith report and I would do it again without hesitation. On [] when we returned home, we told [] and [] what we thought was causing pain and the reason we had to take [] to the ER twice for severe [] pain. I provided a copy of [] discharge summary from an ER visit, the [] warning letter to [] a research article that supported the reason that [] has [] and [] due to [] and [] would not listen. I told them to their faces that I was reporting their friend, [] who is NOT a licensed counselor but told [] that he was a counselor. [] and [] told us that he was a counselor and he is not. I testified in Judge [] court to the assault where [] became aggressive and stepped towards me with his arm raised! If [] , who is [] , would not have been there and stepped forward, we both think that [] would have harmed me. [] witnessed this occurrence and [] was there as well. We were writing a report when [] rode his scooter over to our driveway on [] and told me that [] and [] were making him sit at the kitchen counter and take the [] until it dissolved. [] told me that [] told them that is unapproved and that was [] because I scheduled that appointment for ER follow up. Both [] and [] asked us what we thought about [] when [] recommended it and on two separate occasions, we both told them definitely do not give this to [] because it is not homeopathic and is immunotherapy. They ignored two licensed healthcare professionals, one of whom is a prescribing provider, and started administering this medication to [] under the recommendation of an unlicensed individual who is neither licensed as a counselor nor a prescribing provider. They did not consult [] pediatrician until the ER follow up visit that I scheduled while they were out of the country. [] is being abused and has been medically neglected. After the Orders of Protection were dismissed, [] and [] had [] hide [] for [] % weeks. The judge did not allow [] to testify against me drinking coffee while sitting on my front porch. That was the only just thing that Judge [] did. [] and [] and [] and [] actually thought this was evidence that we were going to " [] and " [] " The judge said he would not know if [] was lying. Judge [] should have known that [] was lying. It was obvious with his terminology and his body language. [] never provided testimony in order for [] to obtain Orders of Protection nor was [] in the courtroom. [] lied saying that he would bring [] in to testify but he did not want to cause that much stress on []

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Judge _____ accepted _____ s testimony that _____ and I had a " _____ " and that " _____ that _____ and I were going to kidnap _____. That was evidence to receive Orders of Protection against healthcare professionals/mandated reporters? We did not meet the criteria necessary for Orders of Protection.

1. Arizona residency is 29 days. _____ STAYED with us for _____ days, and that is what is typed in the description, " staying " not " living " . Our attorney argued that we were babysitting and Judge _____ s behavior was disturbing when he asked if _____ spent the night. When the reply was yes, the judge said he would take it. Simply spending the night does not meet the criteria for having lived with someone to qualify them for an order of protection, but the judge stated it was enough.

2. It is IMPOSSIBLE TO CHECK BOXES/CRITERIA for BOTH Orders of Protection AND Injunctions Against Harassment. I think the judicial clerks overrode those criteria somehow. In AZPoint, there are clear criteria for each and I attempted to complete the form as our Orders of Protection are completed and it is NOT possible. This was purposely done or something is wrong at the _____ location. We were set up and licenses and lives put in jeopardy. We were retaliated against as medical personnel and mandated reporters and the clerks and the judge provided credibility to vindictive, delusional people who have allowed and committed abuse and medical neglect and alienated a child from his maternal family for _____ years.

3. The " evidence " _____ used in the hearing to quash the orders of protection:

a. Copy of discharge summary from one ER visit that I provided to them on _____ .

b. Copy of _____ letter stating " unsubstantiated " which Judge _____ used against us as MANDATED REPORTERS stating that the fact we reported did make it look like we were " _____ . We do not even have to prove abuse to report. We only have to suspect and we reported ABUSE AND MEDICAL NEGLIGENCE for which we would have been charged with a FELONY 6 if we did not report. We wonder if someone involved knows Judge _____ After undergoing all this, I think that this could be a possibility that he knows someone involved in this case (_____ , or affiliated church.)

c. Copy of _____ report where we are listed as leads because _____ and _____ called the police on us for " neighbor dispute " and the officers did not know why they were called. We had not spoken to _____ and _____ since _____ and they called police on us on _____. The police saw the harassment and intimidation for what it was and said we could file an Injunction Against Harassment. We had not been served and knew that neighbors were ostracizing us and witnessed _____ and _____ and _____ and _____ talking to neighbors and knew that they were making disparaging remarks but did not know about the Orders of Protection. The officers could have served the Orders of Protection. They did not. Instead, Officers _____ and _____ shook our hands and thanked us for looking out for _____

d. Copies of articles about Munchausen by proxy, which is now called Factitious Disorder imposed on another. So apparently, _____ and _____ are saying that I and/or _____ poisoned _____ and then we were going to kidnap him?

e. So there was absolutely no evidence and there never was any evidence of anything that they claimed. _____ was with us for _____ days when they were OUT OF THE COUNTRY and _____ states: " _____ " _____ took them and picked them up from the _____

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airport and we returned home. After that, then we were going to kidnap him? Someone having a "fear" that something might happen at some point in the future is not grounds for an order of protection and could provide no evidence on which to base his "fear" because none existed. Yet the judge granted it anyway.

Having to pay a CRIMINAL DEFENSE ATTORNEY is a VERY substantial amount of money and we should never have had to spend that money. This was so shameful what Judge and the clerks did to us. We are decent people, mandated reporters, and healthcare professionals. I had a Holter monitor on during that trial and subsequently had a chemical induced stress test and then I had to have a because I have been so worried about fearful that he would be hurt or killed or hurt himself and worried that we would be hurt or killed or our house burned down and no one would help, fearful of losing our licenses, and placed in such an alarming and distressing position to be accused of something without evidence by the actual perpetrators and we did not do anything wrong and no one is helping or us.

Judge allowed to ask me questions directly and I had to testify about immunotherapy and and a significant amount of medical information for what seemed like a very lengthy period of time even though none of that had anything to do with the allegation that we were going to kidnap a child. strictly used the court's time to complain about the fact we took the child to the ER and Judge allowed all this completely Irrelevant questioning/testimony. I was accused of terrible things and that I was going to kidnap a child based on a completely fabricated and bizarre story from delusional, vindictive abusers. Judge and the clerks broke the law by allowing this retaliation against mandated reporters and they should be held accountable. We do not meet criteria for Orders of Protection and there was zero evidence to obtain Orders of Protection even if we met criteria. and were never fearful that we were going to do anything. They leave their garage doors up as they always have.

Judge had a chance to help this child and he just contributed to the retaliation against my husband and me and the continued abuse and medical neglect of . Judge and the court staff allowed , and to harass and intimidate us in the courtroom. The "justice" system horrendously failed multiple times: and the three of us in . I am humiliated, seriously alarmed, and beyond mentally traumatized at this point. I can still see ' precious face, crying and begging us for help. Judge and those clerks should be ashamed but they just do not care how their actions affect other people. They should be removed immediately.

I submitted reports to the Attorney General's office and the Duty Agent told me to contact the Ombudsman-Citizens' Aide and then he told me to contact three separate entities. When the hotline was called on , we did not speak to , the case manager at that time, until the morning of . This time, I used the Guardian Provider Portal and my report was reviewed immediately and spoke to a caseworker that day and a visit to the ' home was made the next day, less than hours after my submission of case. The Guardian Provider Portal asks: "Do you have any concerns of substantial risk of harm to you, or someone else, or the public, if your name is disclosed? If so, what are they?" I answered: "Physical Harm, Retaliation, Verbal Abuse, Confrontation, Violence, and Risk of Harm" because of all the behaviors demonstrated towards us since .

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I could have been arrested for just saying hello to _____ if these Orders of Protection were not quashed and many of my neighbors would let something terrible happen to us or our home and would not help because of _____ and _____ Judge _____ and the two _____ Municipal judicial clerks, and our neighbors _____ and _____

Please take this report seriously. I think this is another example of how many people and systems have failed this child. I pray everyday for God to protect _____ and for someone to help him. Judge _____ should be held accountable for the continued abuse of this child and for aiding in the retaliation against two mandated reporters simply for filing a good faith report of child abuse. How is someone like him placed in this position? How many lives has he ruined? Shameful.

Thank you.