

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-425

Judge:

Complainant:

ORDER

February 28, 2025

The Complainant alleged a superior court commissioner was biased in his rulings in a superior court probate matter.

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 members Denise K. Aguilar and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 28, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-425

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.

On _____ filed a motion entitled, "Obstruction of Conservatorship Duties." Judge _____ issued an order on _____ allowing _____ to rent properties listed in the trust belonging to their mother, _____ AKA _____ . He also ordered my husband, _____ to remove _____ name from all vehicles that he had once registered in his and her name providing him with a deadline for the removal on or before the following hearing of _____ My Husband complied with the Court's order and completed the tasks ordered by the judge which also included that he no longer collected rent on behalf of _____ During these hearings, Judge _____ ordered _____ to submit the annual budget on or before, _____ She attached a budget to her Motion for Summary Judgment filed on _____ which was dismissed _____ It is the opinion of this witness that Judge _____ has a bias in this matter as he appears to not require _____ to adhere to Court ordered deadlines. When he informed my Husband to remove _____ name and to stop collecting rent effective _____ he made it clear to him that he was required to do so to be in compliance with the Court. This same measure should be applied to _____ ; however, she is still in non-compliance. Furthermore, by failing to submit the required budget, my Husband is deprived of information as to the current status of the conservatorship. There are buildings that have not been rented, to the best of my knowledge, located at _____ , and _____ , which _____ informed the Court that she would get rented to increase the rental income received by _____ It is highly probable that the Conservatorship is spending more money than what is being collected to sustain _____ living expenses. There are also other matters that he has not ruled upon which was submitted in response to filings including:

1. Request for Reimbursement of Expenses (filed by _____ on behalf of my Husband);
2. Response to Notification of Criminal Trespass which included a request to return pictures, plaques and certificates which _____ removed from _____ , prior to obtaining an eviction order.
3. A determination of the genuine issues of material facts raised in the Response of the Motion for Summary Judgment filed on _____ My Husband and _____ are the only heirs in the trust but she is receiving great amount of leniency from the Court but the same is not rendered to my Husband. Therefore, it is my belief that Judge _____ is either unintentionally or intentionally showing a bias in how he requires only one of the parties to strictly adhere to Court orders but not the Conservator who has a fiduciary duty to be in compliance with the Court.