

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-506

Judge:

Complainant:

ORDER

April 4, 2025

The Complainant alleged a superior court judge failed to report allegations of abuse, issued a delayed and unenforceable order, and engaged in biased actions in a family law case.

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 April 4, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-506

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.

Substance of Complaint.

1. Failure to Fulfill Mandatory Reporting Obligations.

During a family law hearing on _____ allegations of child abuse against me (Respondent) were presented in court by Attorney _____ representing the Petitioner. These allegations were detailed in the Petition for Order to Appear to Modify Parenting Time and the Petitioner's Response to Petition to Enforce Parenting Time. Judge _____ acknowledged the allegations during the hearing, stating, "

Despite this acknowledgment, Judge _____ failed to fulfill his mandatory reporting obligations under A.R.S. § 13-3620, which requires judges to report suspected child abuse to (CPS). CPS only became involved on _____ after a therapist filed a report. Following its investigation, _____ determined on _____ that the allegations were unsubstantiated and confirmed I posed no risk to my daughter.

By failing to report the allegations in a timely manner, Judge _____ delayed the investigation, caused unnecessary conflict, and undermined the judicial process.

2. Issuance of an Unenforceable Temporary Order

Following the hearing on _____ Judge _____ issued a temporary order mandating supervised visitation. However, the order was not signed and issued until _____ demonstrating a significant and unjustified delay in its issuance. Despite the seriousness of the allegations and the immediate impact on my parenting time, this delay highlights the court's lack of diligence and urgency in addressing the matter.

Additionally, the order lacked enforceable specifics, such as dates and times, rendering it unenforceable. This lack of clarity halted my parenting time entirely and exacerbated conflict between households.

Despite my long-standing advocacy for individual therapy for my daughter, Judge _____ failed to address this request during the hearing. His reliance on unsubstantiated allegations to issue the temporary order, combined with the delay and ambiguity of the order, undermined my ability to maintain a relationship with my daughter and further demonstrates a pattern of judicial mismanagement.

3. Locked Courtroom Incident and Procedural Failures

On _____ less than _____ hours before a scheduled hearing at _____ I received a phone call from Judge _____ assistant notifying me that the hearing had been continued to _____. I objected to the rescheduling during the call, but it dropped due to poor reception while I was driving to the courthouse.

At _____, an email was sent notifying both parties of the continuance. The opposing attorney confirmed the change at _____ while I formally objected at _____, stating that I intended to attend the hearing as originally scheduled.

When I arrived at the courthouse at _____ I found the courtroom locked and was handed the continuance order by security personnel. The court's subsequent order falsely claimed that I hung up during the phone call, misrepresenting the circumstances.

The insufficient notice and misrepresentation of events reflect a lack of diligence and competence (Rule 2.5) and violated my right to be heard (Rule 2.6). The opposing party's readiness to confirm the rescheduling suggests they were better positioned to accommodate the change, further raising concerns about impartiality (Rule 2.2).

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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.

4. Inconsistent Handling of Continuances
 On Judge denied a motion filed by the opposing party to continue the hearing, affirming that it would proceed as scheduled on . However, on the day of the hearing, he reversed this decision without valid explanation or sufficient notice. This inconsistency demonstrates arbitrary decision-making and a disregard for procedural fairness. The sudden reversal disadvantaged me, suggesting preferential treatment for the opposing party.

5. Comments Demonstrating Bias
 During court proceedings, Judge made a comment about " " which was unrelated to the case or the allegations. This remark demonstrated bias and disproportionately affected my parenting rights without due process.

Judicial Conduct Violations
 Judge actions violated the following provisions of the Arizona Code of Judicial Conduct:
 Rule 1.1 (Compliance with the Law): Failure to fulfill mandatory reporting duties under A.R.S. § 13-3620.
 Rule 1.2 (Promoting Confidence in the Judiciary): Arbitrary decisions and procedural mismanagement erode public trust in the judiciary.
 Rule 2.2 (Impartiality and Fairness): Unequal treatment in handling scheduling changes and reliance on unsubstantiated allegations reflect favoritism.
 Rule 2.3 (Bias, Prejudice, and Harassment): Comments about " demonstrate bias against me.
 Rule 2.5 (Competence, Diligence, and Cooperation): Poor communication and improper handling of the hearing rescheduling reflect a lack of diligence.
 Rule 2.6 (Ensuring the Right to Be Heard): Insufficient notice and procedural failures denied me the opportunity to participate meaningfully in my case.
 Rule 3.5 (Orders): Issuing an unenforceable temporary order that lacked specific details and failed to provide clear guidance for compliance.

Impact of Misconduct
 Judge decisions have caused significant harm to my relationship with my daughter. The temporary order, based on unsubstantiated allegations, halted my parenting time entirely. His failure to involve in a timely manner delayed a proper investigation, while procedural failures on , further eroded my ability to engage effectively in the judicial process.
 Additionally, Judge failure to address my request for individual therapy deprived my daughter of essential resources to support her emotional well-being. His arbitrary decision-making and lack of adherence to judicial standards have undermined my confidence in the judicial process.

Request
 All judicial records referenced in this complaint, including petitions, responses, orders, and continuance records, are part of the court record in Case No. and available for review by the Commission. I am happy to provide any additional documentation, including email correspondence and supporting materials, upon request.
 I respectfully request that the Arizona Commission on Judicial Conduct investigate Judge actions in this case. If his conduct is found to violate judicial ethical obligations, I urge the Commission to impose appropriate disciplinary action to prevent similar conduct in the future