

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-034

Judge:

Complainant:

ORDER

April 11, 2025

The Complainant alleged a superior court commissioner was too lenient in not holding the father accountable for lack of child support payments.

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 11, 2025.

2025-034

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.

My case has been in enforcement court and accountability court since []. Previously, this IV-D matter has been enforcement court and accountability court numerous times. This time around has been incredibly frustrating because no commissioner that has been assigned seems to hold the Obligor accountable or enforce very much of anything. In a total of [] months in "enforcement" and "accountability" court, he has been allowed to pay ZERO dollars for [] of those months and made partial payments for [] months. Purges have been minimal compared to what we are used to in the past, there have been inappropriate sanctions, or lack thereof, for increased non-compliance. Since we have switched commissioners so many times, the Obligor is able to tell his same lies numerous times and the commissioners do not hold him accountable for what was ordered the in the previous minute entry. There have numerous inappropriate actions by commissioners throughout this round in this court, however the most egregious display occurred during our hearing in front of Commissioner [] on []. The hearing prior to this one was on [] and Commissioner [] was covering for []. This hearing was to check compliance for [] payment. No payment was received in [] but Obligor made a payment on the day of this hearing, [] and they credited it for []. That's just not right and this is how he is [] past due, there can't be any leniency for someone who has been in this court for [] years. It was also stated in court by [] and is in the minute entry from [] that the Obligor provider [] months bank statements from all accounts to all parties [] days prior to the next hearing, which was [] along with making [] payment. In the hearing on [], Commissioner [] didn't even ask about those statements. nor did [] ([]) so I brought it up and said I received nothing, he didn't pay anything in [] so I was told there would be a [] purge? Commissioner [] said " [] ". I was just completely baffled at this point and we were rushed off the hearing so I couldn't even tell her it is in BOLD letters in the minute entry from less than [] days ago. If Commissioners continue to make threats of what will happen to the Obligor, but then never follow through with them, OF COURSE HE WON'T BE COMPLIANT. Comm [] was also issuing orders at the end of [] hearing and stated that he was found in compliance with [] payment where there was absolutely no proof of it, no receipt sent, nothing. So I had interjected, because of course the [] never does, and said there hasn't been full payment for []. Hopefully the minute entry issues correctly, but I seriously doubt it due to the lack of confidence I have in this whole process anymore.

I would like to know how [] was able to state these orders, and then less than [] days later [] tells me that's absolutely false, like I just heard it from someone on the street and it wasn't very easily accessible to her in a previous minute entry. Did [] lie, or if [] is [] saying it is against the law - what statute or code specifically states that no purge can be [] ?

The above is my main, tangible complaint, however the conduct of all commissioners ([]) who have heard this IVD-D case since [] have been inconsistent, lenient and contradictory, which is not what I have been used to in these courts prior. In [] when the obligor had an arrearage of [] a purge was issued, for example. Previously, if we were in enforcement or accountability court - Obligor was always held accountable to make current monthly payments, every single month, on time or there were immediate sanctions and purges issued

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.

Along with MANY other purges and sanctions that actually made sense and were consistent. This time around, when he is in arrears, he has been excused for months of making not even a payment and the highest purge issued was ? This court seems to have made a mockery of my situation by allowing Obligor chance after chance telling the same lies every single time with ZERO accountability.

In , ordered him to do job logs. He'd never do them and was never held accountable for that. She transferred us to accountability court stating that there were more sanctions that would be available.

This is when we got . There was absolutely no stricter consequences, but at least she didn't pretend job logs would make a difference for this person who is just 100 percent avoiding paying child support.

Now we are allegedly in the "highest" level of enforcement with Comm. and the first thing she does is order job logs again? This man has been "unemployed" for over years, we think having him write some fake things down will work a miracle? It's become quite offensive to my situation.

I've heard time and time again, when I ask for purges to be set, "
". This was never the message sent in this court prior to . He has an obligation, and unless he has proof he is disabled, he needs to meet that obligation or there are consequences. Of course his behavior and non-compliance has increased during this time. If there is behavior that needs to be stopped, consequences happen. If consequences are threatened, but never actually happen - how will the behavior ever be corrected? It's the most simple part of human nature and the past 4 -5 commissioners on this case do not seem to understand and I feel that should be a basic requirement to understand for a County commissioner.