

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-428

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Judge:

Complainant:

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**ORDER**

April 5, 2024

The Complainant alleged improper legal rulings by a superior court judge hearing a family 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 5, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2023-428**

**COMPLAINT AGAINST A JUDGE**

Name:  Judge's Name:

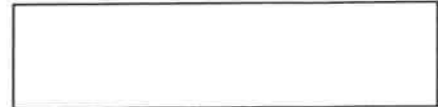
**Instructions:** Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. 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.

was the date set as requested by the petitioner for a status conference since the court of appeals over turned the judges decision to dismiss the third party visitation case stating that the wording in the dismissal judgement did not reflect why its in the best interest of the child. Petitioner petitioned the court for a modification to third party visitation due to her moving out of state. When the petition was filed to modify happened the circumstances had changed and where the legal parents of the child were not ever married before the step parent adoption was completed and the legal parents were married during this petition to revise orders. This gave way for the judge to make the decision to dismiss but again, it was not written as to why it was the best interest of the child. When (attorney for the petitioner) submitted the request for the status conference after the original visitation orders before the petition to modify were reinstated we were summonsed noticing that it was yet another Judge we were going to have to start over with after this year long court battle. Day of status conference was a video hearing and the court connect hearing email was sent to the incorrect email address that has been very well documented in previous court appearances as to what email to use for all court coorespondences. We were a couple of minutes late trying to last minute get the account up and be present in court via camera. When we did finally gain access it was as though somethings were already being discussed and we were dropping in unexpectedly disrupting and Judge conversation. The first couple of minutes was Judge introducing herself and following with stating that the point of the hearing was to ensure that we were going to comply with the previous orders that were reinstated since the appeal. Again, this was a status conference...our son, has not had court enforced visitations for almost months, he had been working full time and completed his High school to graduate early nand had decided to enlist into the which is a family tradition. His grandpa and uncles were all and it is a great life path. After the courts overturned the dismissal judgement already had his goals in progress for a year just waiting for the day he turned and we could sign as his parents to allow it. It had been a great couple of years being able to guide him through things and teach him work ethic and goal setting without constantly getting the courts to require answers for everything we do. We have not been able to freely parent in the years since we terminated the temporary voluntary guardianship due to father passing away until the dismissal. Here we are back again being legally harassed by way of using the court proceedings to attempt to control, bully and attempt to have us pay financially for it in attorney fee requests after everything we have to take part in. With that backstory and the new Judge starting off absolutely outright bias and seeming upset that we s the parents are keeping our son away or from communicating with who is of no biological or legal relation to and the visitation orders were dismissed. While she lives in even if she was to come out and exersice her visitation again, works full time and is almost years old. He has stated manv times that he wants this to stop and he is busy doing his life now and preparing for adulthood. Judge in the video hearing on seemed very irritated from the start towards and I. She asked for his cell number which he does not have. Realizing that in this day and age it is customary to have cell phones glued to the hands of everyone young and old we found that has a very addictive and unhealthy relationship with the internet and for a year has not been with a cell phone or electronic devices in general. He still today does not have access to those things. Before I could explain that the Judge was very upset with me accusing me of being in contempt of court and disobeying visitation orders which never included communications to begin with. We have NEVER gone against court orders in fact we stuck to them to a T and the petitioner has asked judges prior to be detailed otherwise we would only follow whats written. coninued...

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**COMPLAINT AGAINST A JUDGE**

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In the video hearing the judge even went as far as telling me that she is going to order communications right now, so whats his cell number?" I said he doesnt have one...Judge then says " and I said he uses one of ours to apply for jobs but thats it. Judge Then decided that I was in contempt of court and she was setting an enforcement hearing in person and (minor) is to be there in person for it also stating " ' Again, I was telling the truth and the truth still remains the same. We go to the in person hearing that she told to fly out to and bring a cell phone to give to in the court room so she can order communications. Now we are forced to another hearing that we never asked for where told the judge and repeatedly even in his answers to questioning on why but firmly stating he will not go on visitations with and that he is growing up and working on preparing for the military and being on his own. after months of no visitation and then as soon as she could push her way back onto our family ran to when he walked in and he went around her irritated that this is happening at age and a half years old. then made a statment that it is a case of " ' to which Judge very clearly and demeaningly agreem verbally " ' Again this is a judge that doesnt know the case and even suggested in the enforcement hearing that she wasnt sure that we even really did the step parent adoption. We submitted the finalized adoption paperwork once in hand for the courts knowledge on that years ago! and have lied under oath and purposley gone around court procedures just because we represent ourselves and the judge allows it even after I provided proof. I proved with evidence to Judge open communications when the dismissle was granted but once the apeals court was activated that sto[[ed. We will never be open and communicating with someone taking us to courtas a protection to us and our family. The petitioner made the claim that they never ask for sanctions or attorney fees in all of these court battles but that was a lie and now because the judge has made it clear she is very bias against the legal parents even stating that she came from Juvinile courts and parents try to not allow grandparents to see their grandkids all the time. This case is not your everyday juvinile case. as mentioned in the court hearing by the whole family has so much animosity towards . This is for good reason yet parents are treated unfairly in a place that should be based off of law and fairness. by law and due fairness we as the legal mother and father of should be able to exercise our right to raise our young as we see fit. Now the newest motion presented by the petitioner is asking Judge to order us to pay travel expenses, the cell phone refused and forgot to bring to court anyway, plus allowing to submit a china doll for attorney fee's to be billed to us. I can garuntee that those will be granted in which case we will appeal and is stating he will just pay the money from his work savings and recoop it in his law suit against for Medical Child Abuse for all the years of claiming he was and taking advantage of state benefits and disability cash all those years while using him and at his expense of having a normal childhood instead he was thinking he was until we went through all the correct medical avenues to disprove and step him off the harsh drugs she had him on. I would like to say in closing that I do not understand why a status conference was turned into a sparring match when it was not supposed to be for setting orders or to enforce the previous orders. The appeals order did that and refused. It is documented in the court hearing with him in person and it is also well documented that and I have ALWAYS obeyed direct court orders when they were in place and now is able to say no which he has done. Sincerely,