

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-433

Judge:

Complainants:

ORDER

August 14, 2024

The Complainants 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).

Commission member Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 14, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 433

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.

I am writing to file a complaint against Judge _____ of _____ County regarding her handling of my divorce case number _____, In multiple rulings, Judge _____ erroneously stated that I had not requested spousal maintenance in my Amended Petition for Dissolution on _____ despite clear evidence throughout the petition showing that I made multiple requests.

When I filed motions to reconsider and provided highlighted copies of my requests again, the judge still refused to acknowledge the evidence. For example, in her _____ Order she stated _____

However, as highlighted in Exhibit 2, page 8 of my amended complaint clearly shows I requested spousal maintenance. Judge _____ repeated this incorrect assertion in her _____ minute entry as well, ignoring the evidence presented.

Her willful disregard of undisputed facts in the record is concerning. I believe this violates Rules 1.1, 2.2, 2.5, and 2.6 of the Arizona Code of Judicial Conduct requiring competence, impartiality, fairness, and proper legal analysis.

- Rule 1.1 requires judges to comply with the law, maintain professional competence, and facilitate the performance of administrative responsibilities.
- Rule 2.2 requires judges to perform all duties fairly and impartially.
- Rule 2.5(A) requires judges to perform judicial and administrative duties competently and diligently.
- Rule 2.6(A) requires judges to uphold the law and apply it impartially and without regard to the parties.

Judge _____ arbitrary decision-making based on a clear factual error shows bias against me. Her abuse of discretion in ignoring evidence prejudices my ability to be heard on spousal maintenance and violates my due process rights.

I respectfully request an investigation into this judicial misconduct. Please contact me if any additional information is needed.

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I am writing to file a complaint against _____ County Superior Court Judge _____ regarding the handling of the recent court case involving the petitioner in case number _____ . As a resident of the state of _____ and a professional member of the _____ family, I am deeply troubled by what I have witnessed in this case and feel compelled to speak out.

Specifically, Judge _____ has denied over _____ motions filed by the petitioner without any explanation or justification. Each one of these motions have been vetted by some of the top attorneys in the Phoenix area yet this judge has denied each one without any respect or regard for Arizona laws.

The petitioner was also recently inexplicably denied spousal support despite a clear financial need. From my vantage point, these rulings seem incredibly biased and unfair. The petitioner provided exactly what was requested within her Amended Petition for Dissolution on _____. The _____ packet contained multiple requests for spousal support, yet Judge _____ has erroneously stated that it did not exist. Judge _____ has either failed to review this properly or is purposely denying that it exists. This is a clear and blatant abuse of discretion by Judge _____.

I have reviewed the details of this case with the same esteemed attorneys mentioned and they agree that Judge _____ actions are concerning - denying motions without basis and refusing support despite evidence of necessity. This suggests a personal bias that should be thoroughly investigated.

Judges carry an enormous responsibility to make impartial rulings based on facts and law. However, in this case Judge _____ appears to be acting as an advocate rather than an impartial arbiter. I worry that judge _____ alleged relationship with the opposing counsel is affecting her judgment.

As a public servant, Judge _____ should be held accountable for rulings that seem arbitrary, biased, or improper. I urge the Conduct Board to review this matter closely to ensure justice and fairness prevails. Parties deserve a hearing free of prejudice. Explanations should be provided when motions are denied.

Please investigate Judge _____ handling of this case. Her position should be examined if she is unwilling or unable to render unbiased decisions as duty demands.

If this matter is not properly addressed, I will have no choice but to contact local and national media outlets to expose the mistreatment of pro se litigants by the Arizona courts. Pro se litigants should not be treated unfairly simply because they cannot afford financial counsel. The public deserves to know if injustice is occurring. I hope sincere action is taken to prevent that need.

Thank you for your diligence in this important matter. I eagerly await your response.