

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-469

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Judge:

Complainant:

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**ORDER**

April 19, 2024

The Complainant alleged a superior court commissioner did not accommodate his disability request, was hostile in her tone, and made improper rulings 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).

Commission member Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 19, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2023 - 469**

**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.

Please see additional pages and relevant court documents.

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1501 W. Washington Street, Suite 229  
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**COMPLAINT AGAINST A JUDGE**

Name:  Judge's Name:

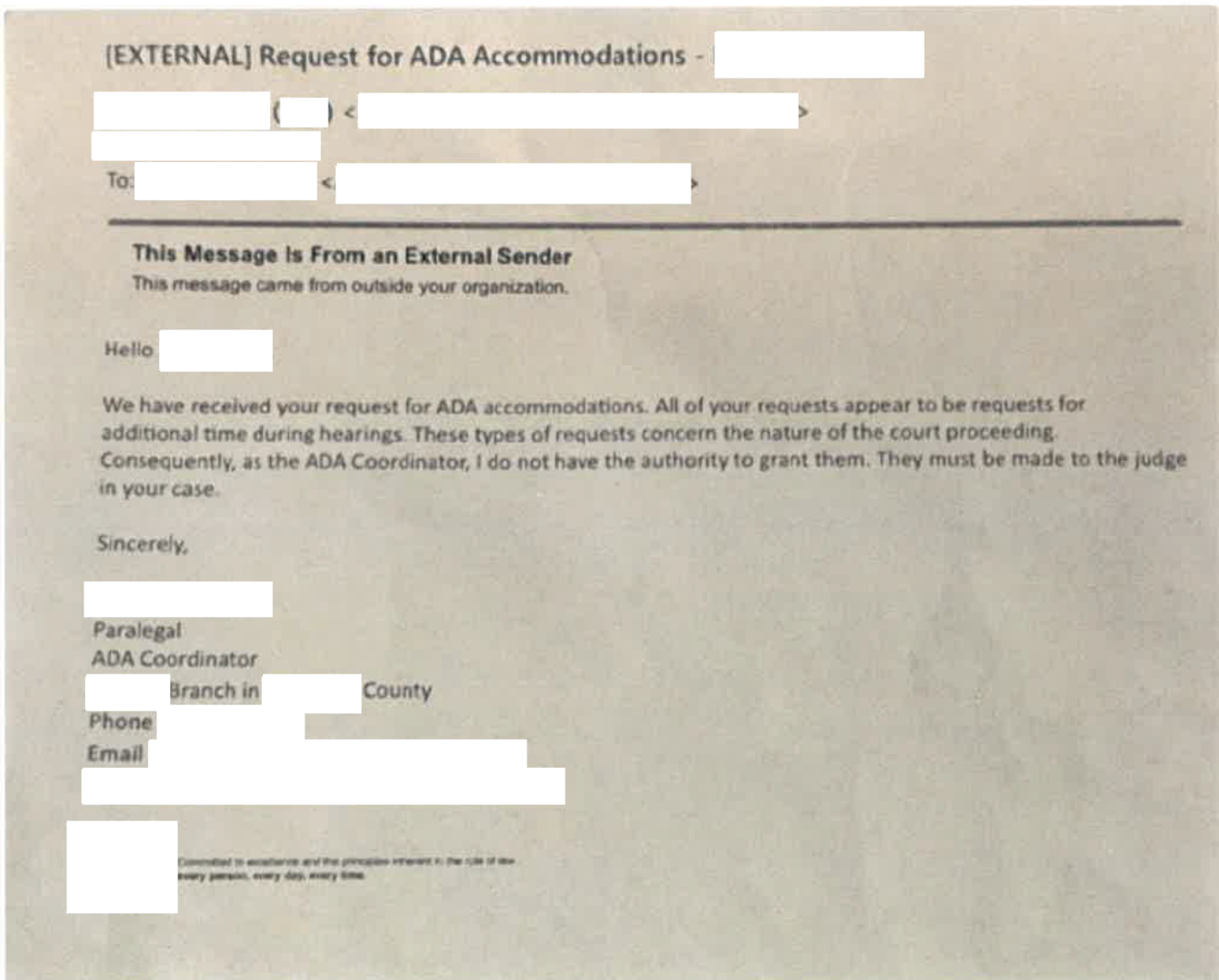
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Please see additional pages and relevant court documents.

**"Complaints Against Judge : Unprofessional Conduct and Biased Behavior in Trial Proceedings"**

On [redacted] at [redacted] in Courtroom [redacted] of the [redacted] court building in [redacted], AZ, I observed Pro Tem Judge [redacted] during a trial. Prior to the completion of the trial, Judge [redacted] excused Court Appointed Advisor (CAA) [redacted] from participation due to her caseload elsewhere. It was later discovered that CAA [redacted] had been unlicensed as a social worker for [redacted] years, including during the trial. The Court did not respond to my motions addressing this issue.

At the beginning of the trial, I informed Judge [redacted] of an ADA accommodation made with [redacted] the ADA Court Officer. However, the judge did not respond to my accommodation request and did not make any adjustments to the trial proceedings. The judge did not acknowledge my request verbally and moved on without investigating the matter, which was clearly delegated by ADA Court Officer [redacted] as evidenced below.



During the trial, Judge [redacted] overruled the respondent's objection without allowing the respondent to briefly explain the respondent's position. The objection included concerns about the minor child's well-being and was related to an Order of Protection based on the removal of a [redacted] device by the child's father. The objections were multifaceted, addressing prejudicial, foundational, and relevance issues specific to the Family Case.

Judge [redacted] influenced the respondent's questioning of the petitioner by expressing concerns that I would not have enough time to testify. This statement was made while I was making progress in questioning the petitioner in a significant manner. The respondent took this as altering the natural course of the trial, as the Judge spoke in an urgent manner so as to ensure transition from questioning to the respondent's self-testimony.

The Judge demonstrated unprofessional behavior by loudly and aggressively asking, "[redacted]", speaking in an intimidating manner to the respondent when the respondent disclosed that the minor child was taken by another individual to evade involvement and investigation by the [redacted] ( [redacted] ). The Judge's conduct, which lacked empathy and seemed forceful and predatory, affected the respondent's ability to provide an accurate and comprehensive answer and testimony during a situation where the child went missing for a week.

Furthermore, the Judge appeared to display bias towards the petitioner by facilitating an answer for her during her testimony wherein the petitioner asked, "[redacted]". Judge [redacted] answered allowing her to avoid answering a critical question. This biased behavior by the Judge undermined the fairness and impartiality of the court proceedings.

Additionally, at the end of the trial, the Judge misled and manipulated the respondent's efforts by stating that she would not attend to the case until *a while after* the holiday weekend, when in reality, she promptly attended to the case. This predatory tactic by the Judge aimed to deter the respondent from making further submissions during the holiday weekend, thereby compromising the respondent's right to made continued contributions to the case out of respect for the best interests of the child, his minor child.

In the final orders, the Judge failed to acknowledge that the respondent had completed the required parenting education program prior to any court involvement, as well long prior to the petitioner's completion of Children In Between. This omission suggests that the Judge did not thoroughly read the respondent's entire answer to the petitioner's petition for paternity as the certification was clearly submitted as an attachment on page 85, page 86, and page 159 of the respondent's ANSWER.

The respondent later sought clarification in a motion submitted to the Court titled "Seeking Clarity" on whether the Judge had indeed read the entirety of the answer, but this serious concern remained and has remained unaddressed.

The respondent suspects a conflict of interest due to a prior dispute involving conduct. It is noteworthy that Pro Tem Judge was assigned to the case after the respondent had submitted a significant 260-page answer, which was crucial to the best interests of the child. This plausible maneuver by the Court system and Judge raises concerns that Judge may not have thoroughly read or read at all the respondent's answer prior to the trial which seems readily apparent herein, further undermining the fairness and integrity of the proceedings.

Thank you for attending to this complaint with due diligence and discerning efforts.

**THE COMMISSION'S POLICY IS  
TO POST ONLY THE FIRST FIVE  
PAGES OF ANY DISMISSED  
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE  
REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**