

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-477

Judge:

Complainant:

ORDER

April 19, 2024

The Complainant alleged a superior court presiding judge was not properly supervising another judge.

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.

2023-477

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.

County Family Court Presiding Judge is not in compliance with the following Rules
of the Arizona Judicial Code of Conduct:

RULE 1.1. Compliance with the Law
A judge shall comply with the law, including the Code of Judicial Conduct.

Rule 2.12. Supervisory Duties:
(B) A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them.
(C) A judge shall require staff, court officials, and others subject to the judges direction and control to comply with the provisions of the Code of Conduct for Judicial Employee adopted by the supreme court.

RULE 2.15. Responding to Judicial and Lawyer Misconduct:
(A) A judge having knowledge that another judge has committed a violation of this code that raises a substantial question regarding the judges honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.
(C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this code shall take appropriate action.

Comment
1. Taking action to address known misconduct is a judge's obligation. Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that judge or lawyer. Ignoring or denying known misconduct among ones judicial colleagues or members of the legal profession undermines a judges responsibility to participate in efforts to ensure public respect for the justice system.

The Honorable Judge _____ has been sufficiently made aware of The Honorable Judge _____ continued pattern of misconduct and has failed to act. Judge _____ is the Family Court presiding Judge, Judge _____ Supervisor. Per the Code of Judicial Conduct, Judge _____ is required to report Judge _____ for her continued acts of misconduct but has failed to do so.

Judge _____ is currently issuing Orders in a Family Court case where she never obtained legal jurisdiction, issues unappealable Orders, and is still issuing enforcement of Orders including WARRANTS without any due process. Judge _____ is also issuing Orders that are not in compliance with Arizona Law. Judge _____ fails to follow proper procedures and discriminatorily ignores repeated requests for the Court to follow the law. Judge _____ conduct has gotten worse over time, likely in retaliation for me filing complaints against her.

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.

I have served Judge _____ with several Motions I filed with Judge _____ therefore Judge _____ is fully aware of the issues happening in Judge _____ Courtroom. This is not an issue of a Judge issuing Orders that a litigant doesnt like or even an abuse of discretion. This is an issue of a Judge issuing Orders absent jurisdiction, without due process, leaving a litigant with no remedy to fix Judge _____ illegal, unconstitutional orders she continues issuing.

The Presiding Judge _____ should not be allowing incidents like this to take place. Judge _____ has an obligation to address Judge _____ known misconduct and is required to act when she is made aware that another Judge is committing a pattern of misconduct. Judge _____ ignoring Judge _____ conduct undermines a judges responsibility to participate in efforts to ensure public respect for the justice system.

Judge _____ ignoring Judge _____ continued unconstitutional and illegal misconduct is only emboldening Judge _____ to continue with impunity. This case is causing both me and my child IRREPARABLE HARM. Judge _____ should have stepped in a long time ago to take appropriate action instead of passively allowing it to continue.

Judge _____ is fully aware that Judge _____ is violating Arizona Laws, Court Rules, and provisions of the Judicial Code of Conduct. Judge _____ is also aware that Judge _____ is violating litigants rights to due process and equal protection. Judge _____ is aware of the multitude of Constitutional Deprivations and Civil Rights violations committed by Judge _____ . Judge _____ is aware that Judge _____ is participating in retaliatory, unethical conduct.

Judge _____ ignoring Judge _____ horrific conduct and incompetence certainly compromises the integrity of the judiciary while undermining the public's confidence in the judiciary.