

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-007

Judge:

Complainant:

ORDER

May 24, 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).

Commission members Barbara Brown and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 24, 2024.

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

FOR OFFICE USE ONLY

2024-007

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.

On the evening of [] my [] children ([]) were forcibly taken by [] Police Officers under the instruction of a warrant signed by Judge []. At this point, I had never appeared before this judge and was only made aware that she had rotated onto my case the week prior. My custody case has been ongoing in Arizona since [] and in [] of [] it was determined that I and my ex-husband would proceed with Joint Physical Custody of the children we share. The warrant alleged that I had fled our home state of [] years before and had only recently been located by the father of my children. It was further alleged that I was in the process of fleeing again and was a danger to my young children, thus they needed to be immediately removed from my care. Until [] the children went between their father and I on a week on/week off schedule. This ended when [] stepped in following it being discovered that their father had began physically and emotionally abusing them, such being reported by no less then four professionals, including the children's pediatrician and a police officer. Upon unsupervised visitation being reinstated, I followed the court order. The children, when removed from our home were distraught and refused to go with the officers until they were told they would be permitted to speak to the Judge themselves. []. The children were ultimately taken (by ambulance) to the [] where they expressed suicidal ideations due to their well-documented fear of their father who they continued to express had physically abused them, outlining instances of him strangling them, forcing their heads under water, depriving them of food and forcing them to ingest an unknown substance that caused irritation to their throats and mouths, a fact their father admitted to in open court in [] of [] I was then traspassed from the hospital and the children were given to their father and taken to his home where it was later revealed they were told I was in jail and that they would []. On [] Judge [] went against the provission on the warrant that stated the children should be taken to court and when provided with evidence that showed the Emergency Order that was filed by father and his attorney was riddled with false claims and that judicial deception had ocured, resulting in Fraud upon the Court, she acknowledged such but refused to return the children. On the stand, the father of the children admitted he lied, that he had given me permission to relocate with the children in exchange for him being excused of his responsibility to support them and that he relocated here (Arizona) in []. It was revealed that I had at no time withheld the children, and that in fact, father had refused to coparent, ignored my attempts to be cordial and had on the two prior sheduled visits with the children, instructed me to take the children home with me (documented by police report) thereafter failing to show up the following time (documented by []). Judge [] took all evidence provided into account and proceeded to violate my Constitutional Rights to parent my children absent just cause (abuse), eliminating my parental rights and permitting me to have just four-hours of Supervised Visitation a month. This time, she stated could only be supervised by [], someone who Judge [] was made aware has both a personal and professional confilicts of interest with me as I was subpeoned to testify against her and have a relationship with her ex-husband. This is in addition to my having previously proven that this supervisor falsified reports when her agency was contracted to supervise my ex-husband. I was told that despite there being no valid allegations of abuse and the warrant issued being obtained under false claims, my children would be taken from me and denied meaningful contact. Her rational? I had "exposed" the Family Court in being interviewed by a reporter. This was entirely retaliatory and illegal. I was not permitted to see my children until [] at such time it was revealed that my children continued to be abused by their father and that there was another adult in the home who was also physically harming my children. [], failed to properly report this disclosure and upon my new

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legal counsel () requesting an Emergency Motion to return the children based upon this new disclosure, Judge denied the request citing " ". When it was revealed that financially, I could not afford to pay for the Supervised Visits due to the substantial and fluctuating cost of the agency selected, my request and submission for another agency whose prices were lower was denied. Even after violated her contract by speaking about my case to several media outlets, being interviewed by three reporters and on , testifying before the about incidents involving my personal family court case and my children, she was kept on my case. I and my children have been apart for over -months and are denied due process of law. My children are declining academically, physically and psychologically. Additionally, this judge is guilty of Human and Civil Rights violations against my children and I. The Supreme Court declared in Washington v. Glucksberg, 521 U.S. 702 (1997), that the Constitution, and specifically the Due Process Clause of the Fourteenth Amendment, protects the fundamental right of parents to direct the care, upbringing, and education of their children. I am neither accused nor is it even alleged that I have inflicted any harm upon my children, thus Judge has violated my Constitutional Rights. I am filing this complaint in due diligence and will proceed with further steps and remedy. Thank you.