

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-021

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge unreasonably failed to quash a child support warrant that set an unfair purge amount.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Dated: February 22, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on February 22, 2017.

This order may not be used as a basis for disqualification of a judge.

2017-021

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.

ago this judge ordered me to bring \$ _____ cash to the courts with _____ time period or she was going to place me in jail. I though this was a unfair but I came up with the money and paid the courts. For the last _____ I have attended every enforcement court date that I have been ordered to attend. I have managed to always be current on my support and have never had any issues. I had requested several times to be released from this because I was having to leave work, drive _____ My first iudne was _____ and he has since been removed from my case. My last meeting _____ my next scheduled on _____ I wrote the wrong day down on my calendar and missed the time but on the same day I called the courts and also filed the paperwork to quash the warrant _____ had issued on me a few hours before. I make no excuses for missing the time, it was my fault. I have since found out _____ will not quash the warrant and she has ordered me to appear on the _____ and have to pay a \$ _____ purge payment to my ex wife because I missed my time. This seems a bit drastic, I have showed good faith for a year with my duties to keep my support current and to be at all the meetings. Not to mention me missing the date in no way caused my ex any issues with anything because I was current on my support to her so why would I have to pay her more money.

This ruling is unjust and unfair, \$ _____ is a lot of money for me and my wife to come up with when we are just getting by as it is. I do not feel that the punishment fits the crime in this case. I though the the family courts job was to try and help families figure things out and help mend relationships not keep beating down a father who works his tail off to take care of his obligations. Any logical person would agree that I have shown growth, maturity, and the will to do what is right here and to order a person who is human and made one mistake pay like this is wrong. She could have at least waited until the end of the day. Not to mention in most cases the judge would have quashed the warrant after the party filed the paperwork with their reason why they missed witch I did on the very same day. This judge as left the warrant out on me so up until my court date I could be arrested and go to jail, lose my job, and not be able to pay any of my child support.

I am asking that the Commission please review my issue.

Sincerely