

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-198

Judge:

Complainant:

ORDER

September 25, 2019

The Complainant alleged a superior court commissioner abused her discretion in a child support proceeding.

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 Rules 16(a) and 23(a).

Commission member George H. Foster, Jr. did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 25, 2019.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-198

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.

Upon release from Custody _____ with a purge amount \$ _____ paid, order was given from _____ that current support payments must be made. No other orders were given. Upon review with the Clerk of the Court in the presence of _____ the current order was \$ _____ I made timely payments of \$ _____ for _____ and _____ Additionally, I made a \$ _____ payment in _____ in good faith. I also made a payment of \$ _____ and another payment of \$ _____ in _____ In spite of all of this, at the end of _____ entered an order at the end of _____ specifically noting " _____ " and that \$ _____ is in arrears, entering a \$ _____ purge.

Specifically, how a Commissioner could find that NO PAYMENTS have been made is an abuse of discretion, aggressive, hostile and punitive.

Additionally, it is my understanding that enforcement court last no longer than _____ I have now been in _____ Court in excess of _____ My requests to vacate have been met with increasingly hostile orders.

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IN THE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF

In re the Matter of:

Case No:

REQUEST FOR REVIEW AND COMPLIANCE WITH TIME LIMITS OF ENFORCEMENT COURT

Petitioner,

(Assigned to the Honorable)

and

Respondent.

Petitioner, (hereinafter "Mother"), respectfully submits her

REQUEST FOR REVIEW AND COMPLIANCE WITH TIME LIMITS OF SUPPORT ENFORCEMENT COURT

The County Support Enforcement Court Notes Specifically: "

Both via phone call with a Family Court liaison, and confirming the information as well as noted on the website as referenced.

Accountability Court was ordered A new request for enforcement was made
This Court has made ongoing orders for monitoring of Support since prior to and
the ongoing monitoring would now be in excess of

1 Additionally, since _____ has been paid, comprising of Payments of _____
2 and it is understood the last amount due being _____ was paid, bringing the
case to an overage. Since then _____ has been paid.

3 It is requested the _____ enforcement review hearing be vacated and future enforcement
4 hearings discontinued for reasons noted.

5 I will note that a review of some of the _____ County Family support case dockets has led to an
understanding that warrants and enforcement are not pursued in this nature, not even with the same
6 Judges- _____ County Family Court Dockets reflect:

- 7 1. _____ County who owes _____ never issued a child support arrest
warrant
- 8 2. _____ who owes _____ never issued a child support arrest warrant –
judge overseeing.
- 9 3. _____ never issued a child support arrest warrant
- 10 4. _____ never issued a child support arrest warrant
- 11 5. _____ never issued a child support arrest warrant

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16 RESPECTFULLY SUBMITTED this _____ day of _____

17 _____ By _____

18
19 **ORIGINAL** of the foregoing
20 filed this _____
with the Clerk of the
21 Court.

22 **COPY** of the foregoing emailed *** this _____ of
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Via email
Attorney for Respondent