

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-040

Judges:

Complainant:

ORDER

April 21, 2021

The Complainant alleged two superior court judges had ruled erroneously in a guardianship matter.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 21, 2021.

PSYCHOLOGICAL EVALUATION

CONFIDENTIAL

The material contained in this report is privileged and confidential information intended solely for the use of this examinee and authorized persons. If you are not an authorized recipient of this report, do not review this material. You are hereby notified that any disclosure, dissemination, or replication of this material without the expressed written consent of the examinee, the examinee's legal guardian, or evaluating psychologist is strictly prohibited.

The material contained in this report is, furthermore, not intended to be used in litigation procedures, as the scope of a counseling evaluation may be inconsistent with forensic psychological evaluations. If litigation of any nature is pending, it is recommended that the client undergoes a comprehensive forensic psychological evaluation. The purpose of this report is to perform a counseling evaluation and to provide recommendations as appropriate from this platform.

Patient Name:

Gender:

Date of Birth:

Age:

PCP:

Consent to Treat:

Date of Testing:

Date of Interview:

Date of Report:

Evaluator:

was self-referred for psychological evaluation. was informed of the limits of confidentiality. This report is based on a clinical interview and psychological testing results from the (), (), (), Second (), and the ().

History of the Complaint/Reason for the Referral

reported she is seeking a psychological evaluation to determine fitness for obtaining co-guardianship of her mother. She reported her brother obtained guardianship over her mother, who was diagnosed with Alzheimer's disease and lives in a group home " " mother was reportedly diagnosed with disease in " and stated that her brother " " She reported her two brothers " " of their mother and " their mother in a group home " " She also reported her brothers kept her out of the decisions involving her mother and " her.

reported the group home personnel have stated to her that the " her mother. She reported making an report a few weeks ago due to the " and was told by that the complaint would go against her brother. She reported her brothers " against her, forbidding her to see her mother, and the order expired in of this year. She reported visiting her mother and observed her mother from away, " on her feet. She reported her mother's voice was slurred and she did not " Ms. Winter reported fearing her mother is still being "

reported her brother has claimed that she is " which is " She reported her brother stated to her that if she underwent a psychological evaluation to prove mental stability, he will " of their mother.

reported the " case with her mother began in and she has felt hurt due to " with her brother. She reported feeling angry towards her brother over the past and sad about her mother's health and that she has been living in a group home. She reported feeling guilty that her mother is in pain and is " However, she reported she has been feeling " as she has a " and " for her mother and her.

denied feeling a depressed mood nearly for at She denied a markedly diminished interest in almost all activities most of the day nearly She denied any significant weight loss or gain and reported no changes in appetite. She denied having sleep problems, getting per night. She endorsed a loss of energy and denied feeling worthless. She reported feeling guilty for " herself while her mother sick. She denied a diminished ability to think, concentrate, and make decisions. did not endorse current suicidal or homicidal ideations or acts thereof.

reported some worry focused on her brothers' " her mother potentially " and her mother's health, occurring than not for the past since her mother has been in the group home. She denied feeling anxious and labeled herself as having normal amounts of worrying. She denied the following symptoms: feeling restless, easily fatigued, and irritable. She reported experiencing one panic attack due to her Employment Law case and denied experiencing any since.

Family History

reported she was born and raised in . She was raised by her mother. She reported her parents divorced before she was and indicated her father was not involved in her life.

indicated she has brothers. She described her relationship with her family as " denied any knowledge of significant family mental health history.

Social History

reported that she has historically had an easy time establishing and maintaining friendships. She noted she currently has close friends that she can count on.

Current Hobbies

reported she enjoys playing the guitar, golfing, and swimming.

Coping Skills

reported running and swimming as workable coping skills that address her stress. She also reported having a supportive network of individuals that help her cope with stress.

Relationship History

reported she is not in a relationship.

Treatment History

endorsed a history of mental health treatment, indicating she engaged in individual therapy ago when she was "going through Employment Law." She denied taking any psychotropic medications.

Medical History

did not indicate a significant medical history.

Substance Use History

reported she has never smoked cigarettes, used illegal substances, or consumed more alcohol than intended regularly. She reported drinking occasionally when she was in high school and stated when she reached college, she " She described herself as " alcohol.

Legal History

reported an incident where she was arrested while visiting her mother. She reported she was told by the group home personnel that she could not visit her mother as the " her brother, did not allow it. She reported she continued to visit her mother " and would give her mother " her. She reported the police were called and she was arrested, describing herself as " She denied being charged with any other crime.

Trauma/Abuse History

denied suffering from any form of physical, emotional, or sexual abuse. She further denied a history of trauma that resulted in residual distress.

Education/Employment History

reported she graduated from high school and earned her degree in

reported she is currently not working.

**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.**