

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-049

Judge:

Complainant:

ORDER

May 19, 2021

The Complainant alleged a superior court judge was biased and had made rulings contrary to the evidence.

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). Further, the request to appear is denied.

Commission member Christopher W. Ames did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 19, 2021.

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

FOR OFFICE USE ONLY

2021-049

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.

The courts define bias as favoritism or an inclination to favor _____ party to the litigation or _____ of the lawyers. So they exclude things like predisposition to have a certain view of the law. It needs to be personal, or directly in favor or against _____ side of the case.

Judge _____ has shown deep-seated bias and favoritism towards the Petitioner since he assumed this case from the previous presiding Judge, _____ Judge _____ fails to rule with impartiality and refuses to remove himself from the case. I have asked for Judge _____ to remove himself from the case, yet he refuses. His rulings are inconsistent between the parties and are constantly in the favor of the Petitioner, _____ although evidence presented supports otherwise. There is no recourse for judges that act professionally in the courtroom but only tow the line of misconduct. Judge _____ passive aggressiveness towards the Respondent is not misconduct per the law which makes it difficult for a party to file a grievance against a judge who appears to act professionally but rules with bias.

This counsel should NOT IGNORE this claim. It should go through all Judge _____ rulings in this case, one by one, to validate and verify the Respondent's claim of deep-seated favoritism and bias that he shows toward the Petitioner. If anyone was to truly investigate this judge's rulings, they would surely come to the conclusion he is unfit to oversee this case, primarily due to his previous work experience and bias against the Respondent. If this committee needs more examples of Judge _____ deep-seated bias I can provide them, in the meantime, I am going to provide the latest example:

The parties had a hearing on _____ This was a combined hearing of Petitioner's Request to Modify Parenting Time, Custody, and Child support along with the Respondent's Order to Show Cause claiming the Petitioner had failed to comply with almost all of the _____ orders. In the Mother's Petition, she failed to produce expert witness documents, police reports verifying the Mother's child abuse claims, or DES reports yet Judge _____ found it credible to remove the children from the Father's care. The Respondent had never heard of such a thing to have children removed from a parent completely with no pending criminal charges or DES reports backing up the Mother's false claims. In the Father's Petitioner for Order to Show Cause, the Respondent had an abundance of evidence proving the Petitioner had failed to comply with _____ court orders, yet Judge _____ found her in contempt of only _____ claim. Although this was not the Petitioner's first time to found in contempt of this issue, Judge _____ still hands down a minor backhanded sanction which was only to pay \$ _____ towards the Respondent's Our Family Wizard communication platform, a platform neither party wanted to use.

To prove the point of deep-seated bias, the Respondent will concentrate on _____ of the claims he filed against the Petitioner:

According to the _____ divorce decree, the Petitioner was to remove the Respondent from all of her court awarded debt by _____ The Petitioner was court awarded her _____, where the Respondent was a cosigner. The Petitioner was to remove the Respondent by _____ or be found in contempt. The Respondent reached out to the Petitioner and Petitioner's attorney

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times to comply with this order to no avail. Finally in _____ the Father filed an Order to Show Cause (and _____ other claims) which resulted in a _____ hearing. Although the Petitioner failed to remove the Respondent from the loan and didn't attempt to do so until a _____ prior to the hearing (_____ later), Judge _____ failed to find the Petitioner in contempt.

On _____ the parties had another hearing. This hearing consisted of the Petitioner's Order to Show Cause claiming the Respondent failed to comply with the _____ (same) decree in regards to the _____ and the Respondent claimed the Petitioner was in contempt of the Court's _____ order from the _____ final order. The Petitioner claimed the Respondent had failed to comply with the _____ order although the order failed to state a must comply by date. The Father argued the order was ambiguous and open to interpretation. The Father also testified he had arranged for the _____ to begin as well as submitted his payment. The Father also testified the _____ preparer had all the necessary documents to complete the _____. The Mother testified she had just paid her _____ % of the _____ preparation fee just a _____ earlier and yet was already filing a contempt claim. Herein lies the bias: The court order Judge _____ found the Respondent in contempt on an order that failed to contain a must comply by date. In fact the order failed to state it must be completed, instead the language stated the _____ must be " _____. Judge _____ found the Respondent in contempt of failing to comply with a court order that was ambiguous and open to _____ interpretation and something the Mother just complied with a _____ previously versus not finding the Petitioner in contempt of a court order which was very specific of the must comply by date and was _____ past that date and still didn't find her in contempt.

From this contempt, Judge _____ ordered the Respondent to pay \$ _____ directly to the Petitioner for his alleged contempt and ordered the Petitioner to pay \$ _____ to the Court for her contempt. How do you order a party to pay another party and then order that party to pay the Court for their contempt and how do you set such discrepancies in the amounts to pay?

I have more examples of Judge _____ extreme deep-seated bias and I am asking that this inept Judge be removed from this case as it is evident he is not an honest judge and can't comply with the law. He should immediately recuse himself because he can't help but continue this line of biased rulings. I consider him an embarrassment to the judicial field and I believe he is one of the reasons people can't and don't trust the legal system as his biased decisions robs parties of their rights due to his arrogance and narcissism.

I am aware this council has the reputation of discarding, ignoring, and disposing of complaints without giving them their rightful due diligence. You are not doing the public any favors when you disregard these valid complaints so casually as it allows this elected judge to continue to make horrendous and erroneous rulings. I am pleading for this council to actually weigh in on this complaint before you so easily discard it. I also understand that Judge _____ will read this and I hope he understands I have _____ respect for him (the same he shows for me) and that he should be ashamed of himself for violating his oath of office.