

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-202

Judge:

Complainant:

ORDER

November 22, 2024

The Complainant alleged a superior court judge knew and had inappropriate ex parte communications with an individual involved in a termination of parental rights 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 Louis Frank Dominguez and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 22, 2024.

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

FOR OFFICE USE ONLY

2024 - 202

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.

hello my name is _____ and my husband and i had a case in family court against _____ for the third time, yes i know that sounds bad but every part of this case was done wrong and based on hear say lies and false accusations and information gathered by breaking the law violating our rights and cover ups and friendship and alies that shouldnt be in this case. befor i go into what was going on and what happend , i want to make it very clear that i reported the wrong doings along with a relationship that should have made the judge speak up to everyone involved in thecase, but altamitly this relationship should have made the judge excuse himself from the case .i reaported this to multiple ppl multiple times in this case but nobody seemed to care or if they did care they were scared to do the right thing for fear of retaliation or maybe fear of losing their job. i also told everyone of my lawyers they either didnt care or told me it was to risky to file anything on the judge because he could get upset and make my life a living hell while he was being investigated. Honestly most of them i think didnt beilve us.so i did make it known that my son who was _____ at the time and was moved unwilling to my astraged mother and step dad house we hadnt had any contact with them for over _____ years. The 1st night that my son was there my step dad not only told my son that he had just talked to judge _____ a couple days ago regarding my daughter who had made up lies and planted things to get myself and her father in trouble and got _____ involved,,, all so she could get what she wanted and at that time it was to go to my astraged pearents to use them for whatever she wanted at that time, anyway my step dad _____ thats what im going to call him by his name cuz he is truely evil and not my dad in anyway., _____ went on to tell my son that he spoke with judge _____ the other night and the judge voiced how overjoyed he was that my daughter _____ was there with them now and safe! That was compelety a violarion of our rights and our right to have a fair un biasit judge and judgments in our case! _____ then prosseded to pull out his phone and show my son pictures of himself and his best buddy judge _____ one of the pictures the looked espceaily chummy as _____ had his arm on his best buddies(judge _____) shoulder. The continued to talk amd talk about his friendship with not only judge _____ but multiple family couet judges and other employees at that court house. But _____ being the lying munipulating person he is didnt stop his conversation there he went on to tell my son he has accses to any records he wanted public or not due to his friendship with judge _____ and other employees at the juvenile family court house. and what brought him there to form these re;ationships was his job fixing the court houses computers. now i have always known _____ to be a liar and a minipulater and a game player.. so i dont know for a fact that _____ is telling the truth, but my son doesnt lie to me and wouldnt make something like that up and i do beilve _____ showed him pictures of him and his friend judge _____ also what validated my beileif was that _____ ried using his friendship with judge _____ to bully mutipule case aids pne inparticular i remember her telling us rhe srory about how _____ was trying to intimidate her by using his friendship with judge _____ and others as his power. as i stated before i reported thid misconducted to anyone that would listen including all the lawyers and case managers we had and even our parent specailist. everyone said thats not fight or fair or aloud but nobody was willing to do the right thing and report this violation.. and eventho my daughter left their house _____ and _____ still kept themselves very much invblved in the case speeking out against myself and my husband nothing but bad negitive things funny sence they didnt know us at all now my tow younger kids dont even know them my youngest son has never even ment them, and even tho mutipule aligations of sexual and physcal abuse where made by the very to ppl that were living there one still to this lives there to this day . we pleted with judge _____ and the court not to put any of our kids there even if _____

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they recated the sexual abuse aligations they still had no bissness having any of my children living with them. but no matter what we said or proved about and it fell on def ears. The judge even said in open court that if anything happend my son was old enough to defend himself. well if thats true why wasmt the same thing implied for our house and him. all tho nobody wants and involved they still mange to not only stay in the case but be heard and the cases have gone in favor the last two times and he basically acts out in theb aduence weither it be by phone or in court room stuff that normallv isnt tallerated judge lets it slide and based a lot of there fabercated case on what and said even tho their info was either very old or simply a lie. judge countiued to rule the way wanted. even dot to pick the placement for my 2 younger kids and then stated they were next of kin. eventho by own guild lines the placement didnt meet the criteria to be placement let alone called next of kin. they were strangers to my kids and mv family and really didnt even know placement that well one them is his friends daughter whom barely interacted with at all but espeailly now as placement stated to us that they also hated eventho we stated our concers as much as possible judge wasnt ignallinging what we were saying untill really late in the case. then he order to look into placement stating that he didnt know we had concers. the case manager at the time refused to listen to the court order. and judge never fallowd up with any time he court order them to do something. cuz they blatenly didnt fallow any of his court orders,, he court order them to give us a saftey monitor way before the case plan chsnged they never did infact the case manager didnt even check our ppl. all our ppl met the small requierments to be safety monitur and then he order us to have visit said no eventho we had the right ppl and even after the judge found out any info about them not fallowing the rules or court oders nothing was said or done. but yet we lose our rights, then he was told that my husbands drug test were being messed with and he told him dont let that dicurge him. just by knowing the little bit of unjustis not all of them but he knew of enough and did nothing, our case manager who didnt fallow his orders lied on the stand and clearly was cougth is and was under investigation for her inapropret contuct and biasness aginst us and lying on our be haff but yet still took her re[ports that led up to us loosing our rights. i know you cant change the ruling but he needs ro be repremade for his unjust wrong doings

please see Attached
paper for more
info

continuation of complaint

to whom it may concern,

This is a fast little bit of complaints and things that just didn't seem right that the judge did. Overall him having a personal relationship with somebody that's involved directly and indirectly in our case and spoke with the judge during the case outside of court on the phone while at home a number of times and then used his friendship with the judge to threaten staff members that were watching the with myself my husband and my children is very inappropriate and this whole case shouldn't even have come about because it was done illegally all the way and then you put on top of that that the relationship that the judge had with the person that is directly involved in the case and then tried to act like they were indirectly involved towards the end of the case is absolutely unethical and wrong and against the law and I know that part for fact also in the case before this that we had he was directly involved in the case the whole time and the case completely went my step dad's way who claims to be friends with judge and showed a picture and spoke about the conversation to my eldest son and also to which I stated in the complaints. I know for a fact the judge did a lot of questionable things and a lot of times he wasn't hearing the whole story and whether you guys know it or not or whether they admitted or not lie a lot and even though we had proof of the life or proof of them not pulling court orders the judge did not do anything about it even though the judge found out that the investigating case manager illegally did a search like he was a police officer and changed his story not once not twice but three times the judge still went ahead with the case there was numerous complaints about all of our case managers because we had a lot in a short time we were involved in the case numerous complaints to the to the courts to everybody not just by my husband and myself but staff members that were involved in the case and it fell on deaf ears also the case manager that took our kids for good she was only our case manager for months and she had never spent time with the kids myself and my husband but yet she said that we were not safe to have the kids in the home even though we passed a parent program who is qualified to say whether we are competent and safe to take care of our kids and she said that we were more than competent and more than qualified and there was no safety issues but although she had never spent time with us she said that she had safety issues but she couldn't tell us what the judge did nothing about it also when we were in trial she perjured herself on the witness stand numerous times and the judge knew of these lies and didn't do anything about it the judge also did not do anything about them not following his direct court orders he did nothing and he made court orders for placement also and he did nothing about it he placed my kids with who is his friend outside of the Court and with involved in our first case and he was part of the reason why the kids were taken away from me because the domestic violence they witnessed between me and my stepfather and then he had a different case a couple years later it says in rules it states if you've ever been involved in a case no matter what the outcome is you are not eligible to be a placement for the kids to be considered to be placement or anything to do with the case in that manner but yet the judge put my son there who claimed that he was sexually abused by them and then took it back and he also put my daughter there who said that she was sexually abused by them and then took it back stating that the kids were old enough to defend themselves I have proof of all of this and also another thing that really bothers us is this last case was done completely out of order we did not get a chance to object or file any appeal against them first taking the kids away because they did it illegally and the investigating case manager lied to his superiors and the judge was told all of this and

the second case he felt that [redacted] did not find anything to take my middle son's right away so we signed them over because the court said it was in the best interest he doesn't go to school he doesn't have a job he does nothing but sit at home all day on the computer he has very poor hygiene and he has no friends the child that ended up residing with myself in my husband has a full-time career studying for his GED it's getting his license but has his permit and just recently moved out of our house into his own apartment but yet they state that we are unable to take care of our kids this whole case should have been thrown out because of ethics alone I know that it states that you guys cannot get a ruling overturned but I do believe that you could do something about the judges conduct because there was a lot of things that I didn't even mention that we're done completely wrong and just against the law. like for instance the place where my youngest kids are my oldest daughter is residing with them after we were told that they would never be around her again because she abuses them constantly just before they got taken away she held a pillow over my [redacted]-year-old son's head because he wouldn't shut his eyes and go to sleep she held it there so long that when he got up he came running to my room and he was shaking and could barely breathe he was terrified of her and so was my [redacted] year old daughter at the time when lo and behold she ends up going to placement and the judge doesn't seem to have a problem with it the whole time we've been telling the judge we have a problem with placement because we know that they're getting it abused in some kind of way because of what they say at the visits now we are constantly being monitored we are never out of sight of a safety person and we were constantly telling the judge [redacted] that my youngest children are getting abused not only by their sister but by the people that they reside with and we were not the only ones that were concerned once again it fell on deaf ears my son has random weird bruises and random weird spots that kids normally shouldn't have bruises and the judge court ordered the case managers on multiple occasions to investigate them but never followed up to make sure that they did it and we had a mediation before the trial and the case manager at that time stated he absolutely was not going to look into it and was not going to see about them going to a different placement even though it was the law and court ordered because he spoke with placement himself at a prior time and they're perfectly fine and that is absolutely 100% not the case they're getting abused not only by their sister but by the people that they're residing with and guess who got to choose where my children are living [redacted] now keep in mind we have not had a relationship with the my mother and step father for over [redacted] years now. my younger two kids don't even really know them my daughter spent a little bit of time with them when she was younger but not too much to where she knows who they are my youngest child has no idea who they are and has never met them but yet time and time again they are trying to get visits and get to push their way into the case the judge should have an absolute big problem with it especially because he's been involved in two cases one in result the kids got removed and because he was accused of sexual abuse not once but twice by two different children and he's physically mentally and emotionally abusive that I've gone through myself and witnessed him doing it to my children once again the judge had [redacted] supposedly look into them which we later found out they did not and again my children were placed there the older ones and that's just against the law and [redacted] wrote a letter in [redacted] and said under no circumstances should they ever be considered to be placed for the children or any other children and they should never be able to see the children there's been multiple complaints against their grandparents but yet [redacted] tries to say that it's in the kids' best interest that they see their grandparents people that they don't even know [redacted] is very belligerent rude and very loud and he gets away with everything he told myself and my kids that he knows how to manipulate the system and no matter how much we tell the truth he can always make it go his way and sadly enough it looks like that is happening I did not want to wait this long to report the judge but everybody said it was in my kids' best interest and my husband and my best interest to wait till an outcome whatever it was in the case because I quote they said he will make your life a living hell until they come out with a judgment and if you go to any other judges they don't take kindly to reports on judges even if the judge was in the wrong and you will definitely never get your kids again. I was looking over the criteria to losing your parental rights for good and we don't meet any of the 15 criteria I think we completed everything that [redacted] wanted us to do and we did it with flying colors there is a lot of questions about our sobriety but we are 100% completely sober and have been for a

we didn't deserve anything that happened to us in the last cases that judge has decided over the fact that he is friends with my stepfather who has hated me since he's married my mother when I was and will do anything to hurt me whether it's a lie or not the fact that he's friends with him and did not tell the court and did not ask if anybody had an objection or anything and continue to reside over our case and constantly remain biased against us is unbelievable and unimaginable broke a lot of laws rules and violated our parental rights and the judge could clearly see that but then again he also did the same thing please help us at the very most we deserve a fair trial we are appealing it but this judge needs to be dealt with because who knows what else he is doing and what is happening if you speak to my eldest son he can tell you exactly the conversation between him and my step dad and also they never checked out the house when they put my oldest daughter and my oldest son there they were sleeping on the floor there was only one bathroom for people they had a bunch of drugs in the house that weren't locked up they're drinking and smoking weed my daughter was positive for marijuana and got kicked out of a behavioral health center for bullying the judge just did not want to have any part of it even though he would constantly tell my husband and I that we were doing a good job and that he was proud of us and not to get discouraged there's absolutely no reason even let's say worst case scenario we were under the influence I've done a lot of investigating and stuff and that is not a reason to permanently remove our children and take away our rights but again we are completely sober and have been and we have proof that and a lot of times we did what the judge said and showed our sobriety for that amount of time but then after we showed them what they wanted we had to do it again and again because they were chastising us for something that they believed could happen in the future. also the judge allowed my year-old daughters say over a police officers they were using my daughter as a expert with this if you will on paper by saying that the alleged paraphernalia that they found had allegedly had pills on it and residue no remember I told you the case manager that found it found it illegally and we had just moved in the house and none of us had even known it was there and it was completely old and he actually went through my stuff moving it around pulling it out to find it and I did not approve that he said can I look around and I said yes that was it not search my house like you're a police officer and he changed his story three times on how or where he found the the alleged pills and in court they said that he saw pills in my sink allegedly but did not test them did not have an expert witness say what they were nothing but that got to be used in court because my year old said that they were but the cop that did search our home said that he did not find any drugs and the home was absolutely 100% fine. also I was going to a different testing place and paying out of pocket anywhere from to for a urinalysis test and it was random because I used the phone line to call and see when they wanted me to test and then I would go did not agree with me going to this place even though I would disclose all the information I would send them the receipt and then the results and gave them full access to be able to talk to them on multiple occasions the said that they would not and absolutely could not take any test results from this place because they didn't think it was legitimate and all kinds of stuff and every time we went to court they would give me problems about it the judge finally told my lawyer if you think that she has an absolutely good reason to go to a different place and let her keep going there and we'll discuss the matter in court and then when that time came I had a different lawyer and I was bullied by my daughter's lawyer and told that what I said that the judge said was not the truth and I was wrong the judge knows what he said and did not do or say anything to her about it then the judge what used and go by the test results because allegedly some of them were bad and he allowed them to use them against me when from day one they said absolutely not that place is not credible but all of a sudden it's credible because allegedly there was some bad test I asked for the same test and all the tests I got were clean and the judge allowed it the judge allowed a lot of things to be done to us any overlooked a lot for instance placement is called next of kin or fux next of kin and they did not meet any of the qualifications to be full next to kin or even fux next of and we were constantly bringing it up to and we brought it up to the to the judge and again as I told you before the judge court ordered to look into other people and they said absolutely not and we told the judge that we had a problem we knew there was abuse going on and he court ordered them to look into it but then never followed up and

**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.**