

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-356

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Judge:

Complainant:

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**ORDER**

November 22, 2024

The Complainant alleged a superior court judge used the wrong procedural rules and disregarded the law in a minor name change 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).

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2024-356

**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.

Please see attached.



## I. Procedural Background

1. On \_\_\_\_\_, \_\_\_\_\_ filed a Petition for Minor Name Change (the “Petition”) in the \_\_\_\_\_ Court.

2. The sole grounds alleged by \_\_\_\_\_ for this name change were:

[ \_\_\_\_\_ ] father and I divorced and I was awarded sole legal decision-making and most parenting time.<sup>1</sup> A name change is in [ \_\_\_\_\_ ] best interest and will help reduce confusion in registering him for school, setting doctor appointments, signing him up for extracurricular activities, travelling, etc.

3. \_\_\_\_\_ was represented in this case by attorneys \_\_\_\_\_ and \_\_\_\_\_, of \_\_\_\_\_. I was self-represented.

4. At no time did \_\_\_\_\_ file a Rule 26.1 initial disclosure.

5. On \_\_\_\_\_, I filed: (1) a Response to the Petition and Counterclaim; (2) a Memo of Law in Support of my Response; and (3) a Motion to Dismiss under Ariz. R. Civ. P. 12(b)(6).

6. In my Response, I asserted numerous affirmative defenses.

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<sup>1</sup> \_\_\_\_\_ award of sole legal decision-making was reversed by \_\_\_\_\_ on \_\_\_\_\_. *See I* \_\_\_\_\_ Ariz. App. Unpub. LEXIS 465 (Ct. App. \_\_\_\_\_).

7. On \_\_\_\_\_, my Motion to Dismiss was granted by the Honorable \_\_\_\_\_.

8. On \_\_\_\_\_, \_\_\_\_\_ filed a Motion for Reconsideration of the dismissal order, which was denied on \_\_\_\_\_.

9. Thereafter, \_\_\_\_\_ timely filed a Notice of Appeal.

10. Following briefing of the appeal in \_\_\_\_\_, (\_\_\_\_\_, \_\_\_\_\_), on \_\_\_\_\_ the \_\_\_\_\_ filed a Memorandum Decision (the “Memo Decision”) vacating the order of dismissal. *Se*

(*In r* \_\_\_\_\_, No. \_\_\_\_\_ . App. Unpub. LEXIS 532

(Ct. App. \_\_\_\_\_) (hereinafter, “*In re* \_\_\_\_\_”).

11. In its Memo Decision, the \_\_\_\_\_ stated:

*In r* \_\_\_\_\_ at \*5-6 (emphasis added).

12. Further, the Memo Decision repeatedly cited the Ariona Rules of Civil Procedure, including: (1) Rule 7.1, *id.* at \*3 and \*4; and (2) Rule 12(b)(6), *id.* at \*4.

13. On \_\_\_\_\_, \_\_\_\_\_ entered a mandate directing the \_\_\_\_\_ court to:

(See Exhibit 2).

14. Attached to the Mandate was a copy of the Memo Decision.

15. On \_\_\_\_\_, the assigned judge was changed from the Judge \_\_\_\_\_ to Judge \_\_\_\_\_.

16. On \_\_\_\_\_, Judge \_\_\_\_\_ entered an Order setting an evidentiary hearing for \_\_\_\_\_ on the Petition. As of the date of this Order, \_\_\_\_\_ had still not filed her initial disclosure.

17. On \_\_\_\_\_, \_\_\_\_\_ filed a Motion to Continue the Evidentiary hearing, which was granted by Judge \_\_\_\_\_ the following day, and which reset the evidentiary hearing on the Petition for \_\_\_\_\_ at \_\_\_\_\_.

18. On \_\_\_\_\_, \_\_\_\_\_ counsel, without first seeking leave, filed a document titled, “Disclosure Re: Petitioner’s Intent to Testify to Minor Child’s Preference” (the “Disclosure”), wherein she asserted that: **(1)** she was “

**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.**