

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-402

Judge:

Complainant:

ORDER

December 20, 2024

The Complainant alleged a superior court judge was biased in rulings in a dependency 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 members Denise K. Aguilar, Colleen E. Concannon, Joseph C. Kreamer, Regina L. Nassen, and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 20, 2024.

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: IMPORTANT NOTICE!

Caution! This message was sent from outside your organization.

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007
Email: cjc@courts.az.gov

Re: Formal Complaint Regarding Judicial Misconduct by Judge

Dear Esteemed Members of the Arizona Commission on Judicial Conduct,

I am writing to formally file a complaint against Judge [REDACTED] who presided over multiple cases involving my children, specifically [REDACTED] and [REDACTED]. It is with great respect for the role of this Commission in maintaining the integrity of our judicial system that I bring these concerns forward.

Over the course of the past few years, I have witnessed and personally experienced multiple breaches of judicial conduct in Judge [REDACTED] courtroom. Her actions have directly harmed not only me but, more importantly, my children. The handling of these cases has been deeply troubling and appears to show a pattern of bias, disregard for evidence, and inappropriate relationships with the Arizona [REDACTED] ([REDACTED]). I respectfully request a thorough investigation into Judge [REDACTED] behavior in these cases.

1. Unlawful Removal of My Son,

One of the most egregious issues stems from the unlawful removal of my son, _____, in _____. In _____, the court—presided over by Judge _____—issued a ruling that _____ was to remain with his family. However, on _____, _____, in blatant disregard of that ruling, took _____ into custody without a new court order. Instead of addressing this clear violation of the court's own ruling, Judge _____ retroactively changed the court's decision to accommodate the unlawful actions

of _____. This change of ruling after the fact raises serious concerns about judicial integrity and impartiality, as it seems Judge _____ was more interested in protecting _____ actions than upholding the law.

The failure to address the initial unlawful removal and the subsequent change in the ruling without a proper hearing or due process severely impacted my family and directly contributed to the trauma my son has endured. This kind of behavior reflects not only poor judicial oversight but also a potential willingness to overlook legal violations when it serves the interests of _____. The manipulation of court orders to suit the needs of the state agency, rather than ensuring justice, is a clear violation of the ethical standards set forth in Canon 1 of the Arizona Code of Judicial Conduct, which requires judges to uphold the independence, integrity, and impartiality of the judiciary.

2. Failure to Protect the Welfare of My Children

Judge _____ failure to act in the best interest of my children extends beyond _____ case. My children, _____ and _____, have also been subjected to harm while in the custody of _____. Despite providing documented evidence of neglect, abuse, and mistreatment that both _____ and _____ experienced in foster care, Judge _____ failed to take appropriate action to investigate or remove them from these dangerous environments.

_____ has suffered greatly, and I have documented numerous injuries and signs of emotional distress that occurred while she was in foster care. I repeatedly brought these concerns to the court, yet they were consistently dismissed or ignored by Judge _____. In the case of _____, despite my full compliance with court-ordered programs and services, Judge _____ ruled against reunification, without considering the overwhelming evidence of my ability to care for my daughter. The judge's apparent refusal to even entertain the idea of reunification, despite my success in completing all required programs, highlights her bias and failure to act impartially.

3. Inappropriate Relationships and Collusion with

Another significant concern is the potential collusion between Judge _____ and _____ representatives. This issue was brought to light when I received an email from _____ that referenced a "_____", which included members of both _____ and the _____ office. This email implied a close working relationship between Judge _____ and _____, which raises serious ethical concerns.

Judges are supposed to remain impartial and should not be perceived as collaborating with one side in a legal dispute. However, the use of the term "_____" strongly suggests that Judge _____

was not only familiar with the representatives of but was possibly involved in coordinated efforts to ensure that the state's position was favored in my cases. This undermines the very foundation of judicial independence and creates the appearance of bias and impropriety, violating Rule 1.2 of the Arizona Code of Judicial Conduct, which mandates that judges avoid both actual impropriety and the appearance thereof.

4. Suppression of My Right to Be Heard

Throughout the dependency hearings, Judge frequently muted my partner, , during critical moments of the proceedings, denying him the opportunity to fully present our case and advocate for our children. This behavior was not only disrespectful but directly infringed on our constitutional right to be heard in court.

This muting was done repeatedly during hearings in which we were raising important issues regarding the welfare of our children and concerns about handling of the case. Rule 2.6 of the Arizona Code of Judicial Conduct clearly states that every person involved in legal proceedings has the right to be heard according to the law. By denying us this basic right, Judge not only violated the judicial code but also severely compromised the fairness of the entire process.

The constant interruptions and the refusal to allow me and to speak when advocating for our children's safety are clear signs of bias. It also created an intimidating courtroom atmosphere, where we felt powerless against the combined force of the judge and .

5. Judicial Bias Against Reunification

In addition to these procedural violations, Judge behavior throughout my dependency cases has shown a clear bias against reunification, despite evidence supporting our efforts to regain custody of our children. While the legal standard in dependency cases requires that reunification remain the primary goal unless there is compelling evidence to the contrary, Judge consistently ruled against reunification, without adequate justification.

In the case of , despite our compliance with court-ordered services and programs, and our documented bond with our son, Judge ruled to terminate our parental rights. She did so despite the absence of any clear and convincing evidence that we posed a danger to or that we were unfit to care for him. This failure to apply the legal standard of family reunification has resulted in irreparable harm to my family, as my children have been kept from their loving parents without just cause.

6. Failure to Provide Adequate Legal Representation and Due Process

During the proceedings concerning , I was repeatedly denied adequate representation and was not provided with proper notice for certain hearings. When we missed a critical hearing due to the lack of notice, Judge proceeded without us, leading to rulings that severely impacted our parental rights. This lack of due process is a fundamental violation of Rule 2.6 and Rule 2.3 of the Arizona Code of Judicial Conduct.

In addition, I believe that Guardian ad Litem _____ failed to advocate in the best interests of my children. His apparent alignment with _____ and his failure to raise the serious concerns of abuse that I presented in court only further highlights the pervasive issues in this case. The collusion between the Guardian ad Litem, _____, and Judge _____ raises concerns about the impartiality of the entire process.

Request for a Thorough Investigation and Accountability

Given the numerous ethical concerns outlined in this complaint, I am requesting a comprehensive investigation into the conduct of Judge _____. Her actions have significantly harmed my family, deprived us of our constitutional rights, and demonstrated a pattern of judicial bias, unethical conduct, and possible collusion with _____. I believe that her continued role in the judiciary poses a threat to the fairness and integrity of the Arizona legal system, particularly in cases involving vulnerable families like mine.

The Arizona Code of Judicial Conduct is clear: judges must act with integrity, impartiality, and a commitment to fairness. Based on my experience, Judge _____ has violated these fundamental principles, and I respectfully request that appropriate disciplinary measures be taken to address the harm she has caused.

I am available to provide additional documentation, evidence, or testimony to support this complaint and ensure that the Commission has all the information necessary to conduct a full investigation.

Thank you for your attention to this matter. I trust that the Arizona Commission on Judicial Conduct will take the necessary steps to uphold the integrity of our judicial system.

Sincerely,
