

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-439

Judge:

Complainants:

ORDER

February 28, 2025

The Complainants alleged a superior court judge violated basic principles of fairness in a permanent guardianship 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 member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 28, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-439

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.

Dear Arizona Judicial Commission,

I am writing to formally file a complaint against Judge _____ regarding the ongoing guardianship case involving my children. It has been _____ months since I have had any contact with my kids, and the guardianship arrangement has prevented us from maintaining our relationship. This lack of communication is not only distressing for me as a parent but is also detrimental to the well-being of my children.

The guardianship, overseen by _____, has consistently denied us the right to communicate with our children, whether through phone calls or in-person visits. This situation contradicts the principle that it is in the best interest of the children to maintain a relationship with both parents. I believe that the actions taken by the guardianship are violating our parental rights and are not aligned with what is truly best for our children.

Over the past several months, I have filed multiple motions for visitation and requests for hearings, as well as motions for reconsideration. Unfortunately, Judge _____ has denied every one of these motions, despite clear evidence that _____ is not acting in accordance with the laws and guidelines set forth in ARS 8-873 and ARS 8-872. These statutes emphasize the importance of maintaining contact with parents to ensure the best interests of the children.

The continued denial of visitation not only affects my relationship with my children but could also have serious implications for my ability to regain custody in the future. It feels as though my requests are being systematically ignored, which raises concerns about the impartiality and fairness of the judicial process in our case.

I respectfully urge the Arizona Judicial Commission to investigate this matter and take appropriate action to ensure that my rights as a parent are respected and that my children's best interests are prioritized. Thank you for your attention to this serious matter. I look forward to your response.

Sincerely,

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