

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-004

Judge:

Complainant:

ORDER

April 4, 2025

The Complainant alleged a superior court commissioner failed to uphold the law and violated constitutional rights in a family law 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 allegations of the complaint in this matter solely raised disagreements with legal rulings. The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. "A good faith error of fact or law does not violate this rule. However, a pattern of legal error or an intentional disregard of the law may constitute misconduct." *See* comment 3 to Rule 2.2 of the Code of Judicial conduct. Any violation of the Code of Judicial Conduct must be proven by clear and convincing evidence.

A mistake in a ruling does not automatically mean that the judicial officer has engaged in judicial misconduct. Judicial officers are required to exercise their discretion in making their decisions. Even if a judicial officer's decision is legally or factually incorrect, the ruling is generally considered to be "legal error" and not "ethical misconduct" that the Commission can address. When a complaint to the Commission solely relates to the correctness of a judicial officer's legal decisions, the Complainant is seeking the Commission to function in the capacity of an appellate court. Correcting legal errors is the role of the appellate courts, not the Commission.

The Commission is a regulatory body with limited jurisdiction. The Commission is not a court, and as such, it does not have any authority to overturn a judicial officer's rulings, intervene in a case, assign a new judge to hear a case, or award any monetary or other relief. The Commission process cannot be a substitute for seeking appellate review.

The Commission reviewed all information submitted by the Complainant 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).

A Duty Panel comprised of Commission members Denise K. Aguilar, Colleen E. Concannon, and Joseph C. Kreamer considered this matter.

Copies of this order were distributed to all appropriate persons on April 4, 2025.

-----Original Message-----

From:

Sent:

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

Subject: Regarding Judge in

Caution! This message was sent from outside your organization.

My name is . This judge is refusing to enforce court orders state laws and is violating my minor children's right under the 14th amendment which ensures them equal protection under the law. Allowing the non custodial parent to violate court and state laws without any consequence. The noncustodial parent was found in contempt at the last hearing but the judge failed to issue a warrant when the law is CLEAR. The justification for not issuing a warrant was the noncustodial parent lived out of state....Which they had no evidence on that day at that time were the non custodial parent was. The judge has a legal obligation to follow court orders and state laws. He refuses while knowingly and willingly violating my two innocent daughters 14th amendment rights. The Judge and the state are shielding the non custodial parent from violating court orders and state laws. Something needs to be done in your end as far as the judge goes. If you cannot help me I will file a motion to have Judge and remover from my case for all of the reasons I just mentioned. There is a paper trail. The facts don't make the judge look good. The court audio transcripts make the judge and the state look even worse. I also have reason to believe the fact that I do not have adequate legal representation is why this kangaroo court continues. The judge takes advantage of me not having a law degree representing my kids.

Sent from my iPhone