

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-021

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Judge:

Complainant:

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**ORDER**

April 4, 2025

The Complainant alleged a superior court judge improperly denied his multiple motions 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.



**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**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.

COURT OF ARIZONA  
COUNTY

CLERK OF THE COURT

HONORABLE

Deputy

IN RE THE MATTER OF

AND

JUDGE

ORDER DISMISSING PETITION TO MODIFY LEGAL DECISION-MAKING AND  
PARENTING TIME

Petitioner/Father's filed a *Petition to Modify Legal Decision-Making and Parenting Time* on \_\_\_\_\_ which was less than a year after the current orders were entered. On \_\_\_\_\_, the Court entered an order that Father may file an amended petition to modify legal decision-making and parenting time within 30 days to satisfy the requirements of A.R.S. § 25-411(A) and (L) or the petition would be dismissed. When a request to modify that has been filed earlier than one year after the current orders were entered, "a person shall not make a motion to modify a...parenting time decree...unless the court permits it to be made on the basis of affidavits that there is a reason to believe the child's present environment may seriously endanger the child's

COURT OF ARIZONA  
COUNTY

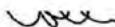
physical, mental, moral or emotional health.” A.R.S. § 25-411(A). On \_\_\_\_\_, Father filed a pleading entitled “Motion – Additional Info Regarding Children and Behavior.”

**THE COURT FINDS** that Father’s pleadings do not meet the requirements of A.R.S. § 25-411(A)and (L). Therefore,

**IT IS ORDERED** dismissing Father’s Petition to Modify Legal Decision-Making and Parenting Time on \_\_\_\_\_.

No further claims or issues remain for the Court to decide. Therefore,

**IT IS FURTHER ORDERED** pursuant to Rule 78(C), Arizona Rules of Family Law Procedure, this final judgment/decre is signed by the Court and it shall be entered by the Clerk.



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HONORABLE  
JUDICIAL OFFICER OF THE COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at:

COURT OF ARIZONA  
COUNTY

HONORABLE

CLERK OF THE COURT

Deputy

IN RE THE MATTER OF

AND

JUDGE

ORDER ENTERED BY COURT

The Court has received and considered Petitioner's Emergency Motion –  
Has an Arrest Warrant, filed .

Petitioner is requesting temporary orders to modify temporary parenting time. The motion does not meet the requirements of Rule 47, 91, A.R.S. §§ 25-404, 25-411.

**IT IS THEREFORE ORDERED** denying Petitioner's Emergency Motion.

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A form may be downloaded at:

**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.**