

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-068

Judge:

Complainant:

ORDER

May 23, 2025

The Complainant alleged a superior court commissioner did not have jurisdiction to enforce child support because a federal claim was filed, and the supremacy clause applies.

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 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 May 23, 2025.

2025-068

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.

There are multiple violations & I have transcripts from a hearing on [] that I will further submit as evidence for review. The hearing was scheduled as a "Modification Hearing" in an active child support matter. Only after nearly a year that I had been requesting the status of adoption without any answers, a sudden confidential notice of completed adoption suddenly was posted to the docket on my case [] on []. On the [] I motioned and requested among other relief requests to have the hearing vacated per ARS 8-117(b), since no support now existed and there was nothing to modify, rendering the hearing moot. This was denied. For additional context, prior to the hearing I filed a motion to vacate based on the supremacy clause as an active 42 usc 1983 is actively addressing constitutional right violations by an agency that is party to the matter, in which [] should have submitted to per the following but also denied: the AZ Constitution Article 2, Section 3 "The Constitution of the United States is the supreme law of the land." Article 2 Sec 26 "Arizona acknowledges that rights granted under the U.S. Constitution are also recognized and protected under the Arizona Constitution, ensuring that state law does not infringe on federally protected rights." The oath of office, "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona..." ARS 38-231. US Constitution Article VI "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby". Further, both prior to and the day of the hearing I noticed the court that I was appearing under special appearance to challenge the jurisdiction and authority of [] and requiring them to show forth proof of their required prerequisites prior to involvement. The first time I made this verbal request, the AG representing [] began to ask for a continuance because he could not show proof (page 8 - lines 9-10 of transcript). The second and third time I again challenged [] to show proof [] stepped and specifically to the AG representing [] as you can read in the transcripts, " [] ." (Page 24 - Line 15) and again, " [] ." (page 31 - Lines 7-8)

During the [] hearing, Commissioner [] demonstrated attorney, commissioner, pro tem, and judicial misconduct, procedural violations, and bias. Despite my special appearance under Rule 22 of Arizona Family Law Procedure to challenge [] jurisdiction, the judge repeatedly blocked questioning by instructing [] representatives not to answer, violating Canon 2, Rule 2.6 of the Arizona Code of Judicial Conduct and my 14th Amendment due process rights. The hearing, designated as a "modification hearing," proceeded without proper notice to address issues outside its scope, in violation of A.R.S. § 8-117(B), as the completed adoption had already terminated any ongoing support obligation. Petitioner's counsel submitted exhibits less than 24 hours prior, breaching Rule 26 disclosure requirements but were still permitted despite my objection. The judge also issued a payment order despite the absence of a current support order or validation of alleged arrears, violating procedural requirements for financial verification and Title IV-D funding compliance. The use of inaccurate records without final judgment or audit further evidences false claims and statutory violations under federal funding guidelines, warranting a False Claims Act investigation. Additionally, the judge intimidated me with threats of being labeled a vexatious litigant despite raising legitimate challenges, violating Canon 3 by creating an appearance of bias and impropriety.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

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These actions collectively violate A.R.S. § 12-409, due process principles under *Mathews v. Eldridge*, and necessitate recusal, vacatur of orders, and a formal investigation.

I believe took these actions with intent to harm me. The hearing was listed on the Order to Appear (OTA) and court docket as a modification hearing, creating a reasonable expectation that only modification issues would be addressed. However, the court unexpectedly expanded the scope to discuss substantive matters beyond modification without proper notice, violating due process and procedural fairness under Rule 65, Rule 44, and Canon 2, Rule 2.6. As a pro se litigant, I was deprived of adequate time to prepare and present evidence. This constitutes procedural surprise, a breach of both *Mathews v. Eldridge* and *Goldberg v. Kelly*, and a clear procedural irregularity that justifies vacating the hearing and its resulting orders. Additionally, any post-hearing change to the hearing classification further evidences improper handling of the case records and proceedings.

Again I will provide both the transcript from the hearing, screen shots of the docket to show what I had filed prior to, the OTA/documents showing it was listed as a modification hearing, and can provide anything else necessary to show forth proof of harm.

FILED

CLERK, COURT

By:

ARIZONA COURT, COUNTY

HON.

CASE NO.

COURT REPORTER: Digitally Recorded

DATE:

Esq. counsel for Petitioner

Petitioner

and

In Proper Person

Respondent

STATE OF ARIZONA

, Esq. counsel for State of Arizona

MINUTE ENTRY

FAMILY SUPPORT/IV-D RESPONDENT'S PETITION TO DISMISS ARREARS INTEREST & PROPOSAL OF PAYMENT PLAN FOR PRINCIPAL/RESPONDENT'S MOTION TO VACATE STATE PROCEEDINGS PURSUANT TO THE SUPREMACY CLAUSE/RESPONDENT'S MOTION

()

FILED

CLERK,

COURT

ARIZONA COURT, COUNTY

HON.

CASE NO.

DATE:

Petitioner/State(s)

and

Respondent

NOTICE

FAMILY LAW NOTICE RE: SETTING MODIFICATION OF CHILD SUPPORT HEARING

At the hearing on _____, the parties agreed to continue the Modification of Child Support hearing to a new date and time.

Therefore,

The Modification of Child Support hearing has been continued to _____, at _____ for _____ minutes. All parties and counsel are to appear in person at _____ County _____ Court,

HON. _____ *Jsl*

cc:

Attorney General - _____ - Family Support Unit
Case Management Services - Family Law

Judicial Administrative Assistant

IN THE COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF

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and)
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	Respondent.)
***)
STATE OF ARIZONA)
)

BEFORE: THE HONORABLE
Commissioner of the Court

TRANSCRIBER'S TRANSCRIPT OF AUDIO PROCEEDINGS
(Motions Hearing)

, Arizona

Transcribed By:

**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.**