

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-123

Judge:

Complainant:

ORDER

July 10, 2025

The Complainant alleged a superior court commissioner improperly denied a stipulation in a family law case forcing her to incur additional attorney's fees.

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 Regina L. Nassen, Scott H. O'Connor, and Christopher P. Staring considered this matter.

Copies of this order were distributed to all appropriate persons on July 10, 2025.

To:

Clamo

2025 - 123

Subject: **Notice of Claim** against
County Employee _____

County relating to damages caused by actions & inactions of

Dear Clerk of the

I am submitting this Notice of Claim pursuant to A.R.S. § 12-821.01 against a _____ County Family Court Judge for failing to fulfill their legal duties, resulting in financial harm. The basis of this claim is the undue & unjustifiable delay and refusal by the Family Court Judge to sign and enter orders related to a mutually agreed-upon parenting agreement as required by law. The decision to reject the orders were not justified and the parenting agreement has been signed, notarized and was reviewed and mediated under the guidance of the family counselor. Both parties are in agreement that the plan is in the best interest of the children and has met the basic requirements by law. There should be no further unnecessary delay.

Summary of Claim:

On _____, my attorney submitted a fully executed parenting agreement, and orders to the County Family Court for approval and entry. Despite the agreement being jointly negotiated and signed by both parties, the presiding judge rejected the filing and has unreasonably delayed signing the orders and entering them into the court record. This delay has caused significant and ongoing harm to me financially.

Details of Damages:

1. **Financial Harm:** The judge's failure to enter the parenting agreement has required me to engage legal counsel for repeated follow-up actions, incurring substantial attorney fees totaling approximately _____. This includes fees related to additional motions, communications with the court, and hearings necessitated solely due to the judge's action & inaction.

Failure of Duty:

Under Arizona law and judicial canons, a family court judge has a duty to timely process and enter orders when presented with valid and uncontested agreements. The refusal or failure to sign the parenting agreement, despite its compliance with all legal requirements, constitutes a neglect of official duties and has directly resulted in my financial loss. Justice delayed is justice denied.

Claim for Damages and Settlement Demand:

I am seeking compensation in the amount of _____ for the attorney fees incurred due to the judge's unreasonable delay.

I am willing to settle this claim for the amount of _____ USD to resolve this matter in full, with an agreement that the court/ _____ County/its insurance provider, assumes full cure and maintenance of my person & family until this matter is fully resolved, and agree to pay all my future attorney fees & court costs directly and any costs related to or as an outcome or from any damages due to retaliation by county employees, elected or appointed, if any.

Attached are supporting documents, including copies of my attorney invoices, & communications from the court.

- Invoice from my Attorney (2pgs)
- Invoice from my Attorney (2pgs)
- Rejection of Agreement (1pg)

Service of Notice:

This Notice of Claim is being delivered in accordance with A.R.S. § 12-821.01 to the Clerk of the Board of Supervisors at the address provided. I reserve all legal rights and remedies available to me under Arizona law, consumer protection laws, the ADA, and the United States Constitution.

I respectfully request prompt attention to this claim and appropriate remediation for the damages I have suffered. This claim or settlement thereof on its own does not satisfy any future damage claims for past or future actions or inactions involving this matter.
Thank you for your time and consideration.

Respectfully, © "All rights reserved"

sui juris

- CC:
- Attorney for Claimant (
 - | Judicial Assistant to (
 - The Honorable -Presiding County Judge
 - (Courthouse,
 - Arizona Commission on Judicial Conduct
 - 1501 W. Washington Street, Suite 229 Phoenix, Arizona 85007
 - The

Date:
File Number:
Invoice Number:

Re: - Petition to Modify

Make checks payable to:

<u>Date</u>	<u>Initials</u>	<u>Description of Service</u>	<u>EIN:</u>	<u>Hours</u>	<u>Amount</u>
		Conference with staff regarding status of matter.			
		Performed docketing management procedures regarding Virtual Status Conference.			
		Telephone conference with _____ about hearing and agreements reached. Review _____ documents.			
		Review court minute entry.			
		Review _____ draft of parenting plan.			
		Conference with staff regarding status of matter.			
		Total Fees		_____	_____

Trust transferred at Billing
Net Amount Owing on this Bill

STATEMENT OF ACCOUNT

Current Fees
Current Transfers

AMOUNT DUE AND OWING TO DATE

=====

<u>Date</u>	<u>Ref #</u>	<u>Description</u>	<u>Payments</u>	<u>Amount</u>
		Payment from Trust		

Please contact _____ at _____ or _____ for all billing questions or to arrange payment.

Trust Ledger

<u>Date</u>	<u>Description</u>	<u>Receipts</u>	<u>Checks</u>	<u>Balance</u>
	Trust Deposit - Visa #			
	Trust to AR transfer			
	Trust to AR transfer			
	Trust to AR transfer			
	Trust to AR transfer			
	Trust to AR transfer			
	Trust to AR transfer			
	Trust to AR transfer			
	Total			
	New Trust Balance			0.00

Please contact _____ at _____ or _____ for all billing questions or to arrange payment.

Date:
File Number:
Invoice Number:

Re: - Petition to Modify

Make checks payable to:

<u>Date</u>	<u>Initials</u>	<u>Description of Service</u>	<u>EIN:</u> <u>Hours</u>	<u>Amount</u>
		Finish review of stipulation and direct paralegal to draft joint notice of settlement.		
		Preparation of Notice of Settlement and Stipulated Motion to Vacate Virtual Status Conference and form f Order for review/signature(.8). Preparation of Stipulation to Enter Order Custody and Parenting Time and Child Support Order for review/signature(.7).		
		Review and sign notice of settlement and stipulation to vacate.		
		Review court minute entry.		
		Performed docketing management procedures regarding status conference.		
		Review file and attend status conference.		
		Preparation of Stipulation for Entry of Amended Orders for review/signature.		
		Review and reply to email and change language to terms of court order.		
		Review court minute entry.		
		Prepare e-filing to the court: Stip and Order.		
		Total Fees	_____	_____

EXPENSES

<u>Date</u>	<u>Description</u>	<u>Amount</u>
	Court Fees; Turbocourt () - Notice of settlement and stipulated motion to vacate virtual status conference - CC#	
	Court Fees; Turbocourt () - Stipulation for entry of amended order regarding custody, parenting time and child support - CC#	
	Total Expenses	_____

Please contact _____ at _____ or _____ for all billing questions or to arrange payment.

**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.**