

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-189

Judge:

Complainant:

ORDER

July 29, 2025

The Complainant alleged a superior court judge had an ex parte communication with the other side and was coercive in a settlement conference.

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).

Commission members Joseph C. Kreamer, Regina L. Nassen, and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 29, 2025.

2025-189

COMPLAINT AGAINST A JUDGE

Name: [] Judge's Name: [Judge]

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.

On [] during a judicially facilitated settlement conference, Judge [] conducted proceedings in a manner that raises serious concerns about bias, coercion, and a lack of impartiality. Specifically:

1. Ex parte communication: I was directed to remain in the jury room while Judge [] met privately with the opposing parties and their counsel to discuss settlement terms without my presence or participation.
2. Coercive conduct: Judge [] pressured me to accept a settlement that would result in forfeiting property rights of [] in order for me to keep my home located at [] which I'm actively asserting in the quiet title claim. He repeatedly told me, "[]" and disregarded my concerns regarding fraudulent conduct that underlies my quiet title action. He then proceeded to say, that if this goes to trial, there's a good chance my property will be sold.
3. Prejudgment of pending claims: When I inquired about a motion I filed for equitable accounting and financial contribution recognition, Judge [] stated, "[]" This reflected a refusal to consider material facts and motions pending before the court.
4. Dismissiveness toward defamation counterclaim: Judge [] minimized the seriousness of my libel counterclaim—asking if an apology from counter-defendant would suffice; telling me that "[]", even if I prevailed—while attempting to pressure a global settlement.
5. I felt pressured into agreeing to a settlement under duress, fearing that I would lose my home otherwise. I later withdrew consent upon speaking with independent counsel who informed me that the judge's conduct may have violated judicial ethics and due process standards.
6. I have filed a Motion for Change of Judge for Cause under Arizona Rule of Civil Procedure 42(f)(2), but I am also requesting this Commission review the judge's conduct for potential violations of the Arizona Code of Judicial Conduct, including:
 - Rule 1.2 (Promoting Confidence in the Judiciary)
 - Rule 2.2 (Impartiality and Fairness)
 - Rule 2.6(A) (Ensuring the Right to Be Heard)
 - Rule 2.9(A)(1) (Ex Parte Communications)

I am happy to provide supporting documents, court filings, or a more detailed written statement if the Commission requires additional information.

Thank you for your attention to this matter.

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

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**STATEMENT FROM MOTION TO CHANGE JUDGE FOR CAUSE
FACTS SUPPORTING CHANGE OF JUDGE**

1. On _____, during a court-facilitated settlement conference, the assigned judge conferred privately with opposing counsel and parties while _____ waited alone in the jury room, excluded from those discussions.
2. When the judge engaged with _____ Judge _____ stated that he had not reviewed my quiet title evidence and proceeded to minimize its relevance, disregarding that it is part of a consolidated action set for trial.
3. When _____ raised the severity of the libel counterclaim, which includes false _____ reports filed by _____ (_____),accusing _____ of forging a power of attorney and committing elder abuse, the judge responded: Why does the Libel really matter, " _____ " These allegations were serious and led to a four-month investigation. _____ later found the claims unsubstantiated, but the trauma, reputational damage, and emotional impact were significant. The judge' s comment implied prejudgment of _____ damages, claims, and its credibility.
4. The judge further stated that he believed it was a fair deal for _____ to keep the house located at _____ the house _____ built and paid for. Then asked _____ to relinquish her rights to _____ (our mother) home, despite that a fraudulent deed had been recorded by _____ while our mother was in the ICU and _____ was in a medically fragile state, due to _____ which hadn' t been diagnosed, or medicated .
5. The judge warned _____ that if these consolidated cases proceeded to trial . and lost the quiet title claim, " _____ " The implication was that he expected _____ to lose and was pressuring _____ to settle based on that belief.
6. A few hours later, _____ emailed Judge _____ and opposing counsel agreeing to the settlement, but only because _____ feared losing the home. _____ did not believe that there would be a fair trial, under the current judge.
7. When _____ stated that there was evidence to support the claims, Judge _____ replied that he decides what evidence is admissible, suggesting prejudgment of the facts and diminishing _____ right to present a case.
8. After returning to the bench, Judge _____ also refused to rule on _____ pending Motion for Equitable Accounting, even though equitable accounting is a standard and necessary part of partition actions.
9. Judge _____ also stated that he had not reviewed the undersigned' s evidence related to _____ s quiet title claim and appeared to disregard that the quiet title action was even pending, which is part of this consolidated case.
10. After consulting with an independent attorney, _____ was informed that the judge' s conduct—including minimizing the libel claim, dismissing title evidence, and coercing toward settlement—violated judicial standards and compromised _____ due process rights.
11. _____ is only requesting reassignment now because she was previously unaware of her rights and felt trapped. The judge' s conduct created an atmosphere of intimidation and unfairness, leaving _____ without confidence in the court' s neutrality.