

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-326

Judge:

Complainant:

ORDER

October 10, 2025

The Complainant alleged a superior court judge made improper rulings in a family law case.

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 October 10, 2025.

COMD

2025 - 326

Presiding Judge
County Court

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

RE: Judicial Conduct Concerns – Judge
Request for Administrative Review and Evaluation of Discretion in Temporary Orders

To Whom It May Concern:

I write with the utmost respect for the judiciary and the difficult responsibility borne by family court judges. However, I must formally dispute the temporary orders issued on _____, by the Honorable Judge _____ in _____ County Court Case No. _____.

This letter is not submitted lightly. I fully understand and support the necessity of following court orders and recognize the importance of maintaining judicial authority. That said, the ruling raises substantial concern—both procedurally and substantively—regarding the welfare of my _____-year-old daughter, the potential for unintended harm to her mental health, and the integrity of the family court’s role as a protector of children’s best interests.

I. Extraordinary Relief Beyond Pleadings

It is my understanding that even opposing counsel was surprised at the extent of the relief granted—beyond what had been sought in pleadings or at hearing. According to my attorney, _____ the ruling went significantly further than what Respondent’s side had requested. In doing so, the court appears to have overreached without sufficient notice or an opportunity to be heard on such extensive measures. This raises concern under **due process and Rule 47(j)(1), Arizona Rules of Family Law Procedure**, which govern the scope and revocability of temporary orders.

II. Delegating Mental Health Authority to the Alleged Aggressor.

The most troubling component of the order is the assignment of presumptive authority over mental health and reunification therapy to the father—despite my daughter’s well-documented trauma stemming from his past conduct, which includes emotional and alleged physical abuse reported in

Granting such authority directly contradicts the spirit, if not the letter, of **A.R.S. § 25-403.03(A)**, which prohibits awarding legal decision-making to a parent with a history of significant domestic violence. Even absent charges, the documented fear and refusal by the child to engage with him or his chosen therapist is material evidence of harm.

III. Age and Autonomy Were Improperly Dismissed

is and a half years old. Her age and maturity should have been central to the court’s best-interest analysis. Under **A.R.S. § 25-403(A)(4)**, a child’s “wishes” must be considered in all custody determinations. Forcing a nearly legal adult—who is actively completing her education, participating in ongoing therapy, and recovering from trauma—to participate in forced reunification with an estranged and feared parent undermines her dignity, autonomy, and emotional well-being.

IV. Unintended Harm to My Relationship with My Daughter

As a mother attempting to follow the law and support this court order, I now find myself placed in an impossible position. My daughter has refused participation, and I have been ordered to encourage, enforce, and comply with reunification through a therapist she has rejected.

I am gravely concerned that being forced into this position may permanently damage my own relationship with my daughter. I risk being seen by her as a party to coercion, which may harm the only functioning parental bond she currently has. While the court found I am not actively sabotaging the relationship, this ruling may produce the very deterioration it seeks to avoid.

V. Request for Review

I respectfully ask that Judge ruling be administratively reviewed, or at minimum, that this complaint be noted for the **Judicial Conduct Commission’s evaluation** of whether the discretionary scope of the order was exercised appropriately in light of:

- the child’s advanced age,
- the statutory protections of **A.R.S. § 25-403** and **§ 25-403.03**,
- the surprising breadth of the ruling,
- the ongoing emotional and psychological risk posed by forced reunification.

I want to reiterate that I remain committed to the rule of law and to any court-directed effort that genuinely serves my daughter’s best interests. However, I must voice this concern for the sake of her well-being and to protect the integrity of my role as a lawful, caring parent navigating a very difficult court-ordered landscape.

Thank you for your time and consideration.

Sincerely,



Petitioner,
