

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-352

Judge:

Complainant:

ORDER

October 10, 2025

The Complainant alleged a superior court judge denied Complainant's intervention request and ignored Complainant's motions in a dependency 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.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-352

COMPLAINT AGAINST A JUDGE

Name:

[Redacted Name]

Judge's Name:

[Redacted 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.

I am the step-grandmother of _____, and my husband _____ is _____ biological grandfather. For nearly _____ yrs, we have been involved in life, providing supervised, and unsupervised care, attending birthdays, holidays, and more. Despite our consistent presence, the court under Judge _____ has ignored our relationship and has pushed forward with an adoption by the foster parents, even after we were allowed a years worth of unsupervised visits, and passed a home study (though my husband was flagged due to a _____ yr old juvenile record from when he was _____). I have filed 4 motions on _____, and have recieved no rulings or responses.

I was allowed to appear for oral argument previously but denied intervention. Now even after submitting a motion to change the court order (JV-180 equivalent) the judge has not acknowledged new evidence, including that the foster parents allowed us unsupervised time without _____ approval, contradicting their own testimonies. Judge _____ has made biased statements, dismissed facts that favor family placement, and appears to have allowed the case to move toward adoption without properly considering paternity or family rights. The man on the birth certificate is not the biological father, and the state terminated his rights, but still refuses to test for the real father, my stepson. We are being erased as a family, and despite our willingness to meet any conditions (even separation

continued →

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households if needed, we are not being given a fair chance. The judge's continued disregard for new evidence, family connections, and due process raises serious concerns about fairness and judicial ethics in this case. I have text messages from the foster parents admitting to unsupervised visits, photos and videos of ^{during} visits, alone with us. I have a home study approval concept grandfathers or old juvenile charge, four motions filed on ^{with no ruling,} and a copy of the most recent change of court order.

Date _____