

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-395

Judge:

Complainant:

ORDER

October 2, 2025

The Complainant alleged a superior court commissioner improperly denied an order of protection.

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 2, 2025.

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Cc:

Subject: Formal Complaint Regarding Judge [REDACTED] Denial of Order of Protection for Child Abuse Victim

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#) | [Report](#)

Dear Judicial Conduct Commission

I am submitting a formal complaint regarding Judge [REDACTED] recent decision to deny an Order of Protection for my [REDACTED]-year-old stepdaughter, [REDACTED], despite clear indications of abuse by her biological father, [REDACTED].

[REDACTED] has disclosed multiple incidents involving physical abuse, including being bitten (which resulted in visible bruises), as well as deeply concerning reports of inappropriate sexual touching. After these disclosures, my wife, [REDACTED] took the appropriate legal step and filed for an Order of Protection to shield [REDACTED] from further harm.

To our complete shock and devastation, Judge [REDACTED] denied that request.

We are deeply alarmed that a child reporting physical and sexual abuse was denied protection by the very system designed to keep children safe. [REDACTED] voice was clear. Her bruises were visible. Her fear was obvious. There is no excuse for inaction when such serious allegations are presented.

This denial not only failed to safeguard [REDACTED], it potentially allowed further abuse to continue unchecked. We feel abandoned by the court and terrified for [REDACTED] safety. As her guardians, we are now forced to fight uphill against a system that seems more concerned with procedure than protection.

I urge your office to review Judge _____ conduct and decision-making in this matter. At the very least, a child alleging sexual and physical abuse should be granted temporary protection until a full investigation can be conducted. Anything less is a gross failure of justice.

We are continuing to pursue every legal avenue available, but I respectfully request that your office treat this complaint with the seriousness it deserves. Please let me know if additional documentation is needed.

Sincerely,