

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-534

Judge:

Complainant:

ORDER

January 30, 2026

The Complainant alleged a superior court commissioner improperly found him in contempt in a family law matter.

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 does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. 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).

Copies of this order were distributed to all appropriate persons on January 30, 2026.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-534

COMPLAINT AGAINST A JUDGE

Name:

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.

Complaint and supporting documentation are attached.

This case () was brought before the Hon. in when Petitioner filed a Petition for Enforcement and Contempt against Respondent. At the time of filing, the parties' children were long before, emancipated (at the time of this writing the "children" are now and). The timing alone should have elicited an additional level of scrutiny from the bench given the ages of the adult children. Nonetheless, this case went to trial and ultimately Respondent was held in contempt and ordered to pay child support to Petitioner in

This author is well aware that this submission will in no way reverse any decision made by the court in question. In fact, that is not the goal. This author was able to successfully obtain justice, albeit with considerable time, expense and aggravation, from the Court on where the Court vacated the Ruling and Order in its entirety. This complaint is presented to explicitly illustrate a clear injustice administered by a judicial official.

Respondent appealed to the Arizona Court (Case #). A decision was filed on in which Judge Orders and Rulings were vacated in their entirety. Judge conduct in administering this case violated a number of the Rules of Judicial Conduct:

Rule 1.1-Compliance with the Law

Rule 1.2-Promoting Confidence in the Judiciary

Rule 2.2-Impartiality and Fairness (and quite possibly Rule 2.3)

Rule 2.5-Competence, Diligence, and Cooperation

Rule 2.6-Ensuring the Right to be Heard

Each of these Rule violations will be discussed in detail below and will reference Exhibits attached as part of this document. The actions of Judge resulted in a needless waste of court resources as well as unnecessary expenditures expended by both sides. Justice was cast aside for the sake of optics and at best, convey gross incompetence and at worse, malicious judicial bias.

Petitioner (hereinafter denoted as Mother) filed a Petition for Enforcement and Contempt (Attached) on against Respondent (hereinafter denoted as Father) in County Court (Family Court Division) for alleged violations of the Parties Stipulation Modifying Joint Custody (Exhibit 2) adopted by the Arizona Court. In her Petition, Mother sought to enforce certain provisions of the Stipulation related to post secondary educational funds previously allotted to the parties' two children. As previously mentioned, Mother brought this action well after the children emancipated. Father filed a Motion to Dismiss

(Attached) on . On a Resolution Management Conference was held with all parties (–) with Judge presiding. In that conference Judge himself indicated that it appeared as though the family court likely had no jurisdiction based on initial pleadings and that it may best be pursued as a contract claim (note: a transcript of the Resolution Management Conference was not obtained as of this writing as the full trial transcript was obtained for Appeal and is included). Despite this, Judge proceeded to a Pre Trial Conference on and ultimately a Trial on . In his Order RE: Motion to Dismiss (, Judge wrote: “

” At no point throughout the rest of the proceedings was this the claim of laches addressed by judge other than to state “ . As this was central to Respondent’s defense, shouldn’t it have been heard and addressed?

The importance of Judge statements regarding jurisdiction cannot be underscored enough as it illustrates that he knew from the start that jurisdiction was an issue, ignored it despite a well pleaded case by Father, and ultimately, ruled without justification and contrary to the case law cited in his decision (Under Advisement Ruling Enforcement and Contempt, hereinafter referred to as UAR). Although the Court ultimately corrected the egregious error of the lower court accepting jurisdiction, there were other errors which can be outlined in the UAR consistent with violations of the Code of Judicial Conduct. These errors are discussed below.

On page 2 of the UAR Judge states:

“

”

The entirety of Judge ruling and order contradicts what is outlined in the above case (). In fact, the Court based their decision on this case in vacating Judge ruling and order. Judge either lacked a basic understanding of the (case) law or blatantly disregarded it. Further Judge states further on page 2 of the UAR:

“

”

This statement is blatantly false. Even a cursory review of the Stipulation Modifying Joint Custody clarifies that only the first factor was required. It states:

“

”

Only if the college funds were not established by Father (funding and payment towards such college fund), would Mother have had legal recourse. Although this was pleaded by father in the Motion to dismiss, Responses, Motion for Reconsideration, etc, clearly this important point was ignored. Part and parcel to this whole discussion is why the funds were established to begin with.

The college funds were established by agreement in _____ after Father fell behind in child support. The Stipulation Modifying Joint Custody on page 6 explicitly stated:

“.....

.....”

Again, the agreement reached by the parties was at best overlooked by Judge _____ and at worse, consciously ignored to make a case for the award of child support arrears for adult children to Mother. The court even acknowledged that the funds were established so there should have been no further discussion or adjudication of arrears as this had been done two decades ago.

Much of the trial testimony was given by Mother (over two hours vs Father’s testimony of less than an hour) speculated on growth rates (what she felt was appropriate in hindsight) and offered several alternative award amounts she felt she was entitled to. To add insult to injury, it was established that Father had paid to the youngest son the funds in question while the oldest son had no intention of utilizing the funds. No doubt Judge _____ exercised an unwarranted amount of bias in considering this testimony when he rendered his decision. In fact, he spent considerable time explaining his thoughts and bias on Page 3 of his UAR. He discussed the rates of return on the funds (which incidentally should have never been considered in this case) by stating:

”

Judge offers no explanation or financial acumen to support his statement regarding
“ ” so it must be determined he is basing this on Mother’s
testimony about the letter she obtained from her “ “ (hearsay, not direct
testimony by a financial expert) who calculated growth with the benefit of hindsight. Not to
mention, growth rates as testified by Father were annual rates of return (perfectly in line with
funds available when Father purchased them). Judge incorrectly states the rates of
return in his UAR as total growth rates rather than the respectable annual rates they were.

As stated previously, the ruling was vacated by the Court based on lack of jurisdiction
although the Appellate Brief provided many other reasons the case should have been dismissed.
The Court chose the most obvious. Judge incorrectly applied the law and
statutes in finding the cause of action timely. He states in the UAR:

“

”

Father in his pleadings continually raised the point that although A.R.S. 25-503 (L) is the current
statute, Mother and Father were held to the former statute A.R.S 25-503 (I) which was
incorporated into the Child Support Order specifically in . Mother had three years to bring
an action. Father held substantive rights afforded to him by the then in effect statute. A.R.S. 1-
244 states “No statute is retroactive unless expressly declared therein”. In order for Judge
 to find the petition timely, he would have had to retroactively applied the newer
statute. Again, this was a lack of understanding of the law or a blatant disregard for it.

Despite the numerous and erroneous errors in the findings by Judge and contradicted
by the record, he found Father in Contempt for child support arrears. Clearly the “arrears” were
adjudicated in nonetheless he awarded Mother child support for now adult children. The
court did not have jurisdiction to do so as supported by the ruling by the Court What
Judge ultimately did was award Mother with a Post Judgement Petition To Modify
Spousal Maintenance Or Child Support.

The failure to exercise discretion is an abuse of discretion. Judge failed to exercise
discretion when he failed to consider the relevant factors under the applicable law as well as the
clearly outlined agreements in previous orders. In addition, the only case law he included in his
UAR was the case that supported Father’s position yet he somehow interpreted it to support
Mother’s action. His decision on the surface appears to be driven not by the rule of law but
driven by pure emotion all things considered. This case would seem to illustrate an unjust level
of complacency rather than an adherence to law.

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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.**