

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-567

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Judge:

Complainant:

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**ORDER**

February 11, 2026

The Complainant alleged a superior court commissioner was biased and failed to afford her an opportunity to be heard 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 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).

Commission members Colleen E. Concannon and Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 11, 2026.

## Complaint to the Arizona Commission on Judicial Conduct

**Respondent:** Judge \_\_\_\_\_ County \_\_\_\_\_ Court, Family Department  
**Complainant:** \_\_\_\_\_ (Petitioner/Appellee in \_\_\_\_\_ ; related appeal

### Summary of Misconduct

I respectfully submit this complaint against Judge \_\_\_\_\_ for conduct that violated my constitutional and procedural rights to due process and impartial adjudication. The judge entered a **final order prematurely**, disregarded my **open motion for contempt and request for clarification**, and issued an **order containing a factual and legal error** that I promptly sought to correct but was ignored.

### Factual Background

- \_\_\_\_\_ : The Respondent (opposing party) filed a "Motion to Enter Final Order."
- \_\_\_\_\_ : Judge [Name] **entered a final judgment** the very next day—**before my 10-day response period expired** under ARFLP Rule 35(a)(2).
- At the time this judgment was entered, there was an **open Motion for Contempt and Enforcement** pending regarding the Respondent's ongoing non-payment of court-ordered child support. That motion had not been heard or ruled upon.
- I also had a **pending Motion for Clarification** addressing how the stay order interacted with ongoing enforcement proceedings, and raising a **clear factual error** in the draft order that misstated a material detail in the record.
- \_\_\_\_\_ : I filed my own motion for reconsideration and clarification immediately after the order issued, identifying the error and requesting correction. The judge refused to consider my filing and declined to acknowledge the open motions before entering the final judgment.

This sequence deprived me of a meaningful opportunity to respond or be heard and effectively foreclosed consideration of unresolved issues critical to the enforcement of child support.

### Legal and Ethical Standards

1. **Due Process – Arizona Constitution, Article 2 § 4**  
 No person shall be deprived of property or legal rights without due process of law. This includes reasonable notice and an opportunity to be heard before judgment. Family-court orders entered without affording a party that opportunity are constitutionally defective.
2. **Right to Be Heard – Canon 2.6(A), Arizona Code of Judicial Conduct**  
 A judge "shall accord to every person who has a legal interest in a proceeding the right to be

heard according to law." Entering final judgment before the response period expired and disregarding timely motions contravenes this Canon.

3. **Fair and Diligent Adjudication – Canons 1 and 2**

A judge must act impartially and diligently to promote confidence in the judiciary. Ignoring open motions for contempt and clarification, especially those concerning ongoing child-support enforcement, reflects disregard for those duties.

4. **Arizona Rules of Family Law Procedure 35(a)(2)**

A responding party is entitled to **10 days** to respond to a motion. The court's issuance of a final order **one day after** the Respondent's filing violated that procedural right.

5. **Case Law – Volk v. Brame, 235 Ariz. 462 (App. 2014)**

Arizona courts have held that family-court proceedings must afford each party a "meaningful opportunity to present and confront evidence." Premature rulings that prevent this violate due-process guarantees.

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### Violations

1. **Premature Judgment:** The judge entered final judgment before the allowed response period, denying procedural fairness.
  2. **Failure to Address Open Motions:** The court ignored an active Motion for Contempt and Enforcement and a Motion for Clarification, leaving substantive issues unresolved yet declaring that "no further issues remain."
  3. **Refusal to Correct a Known Error:** When notified of a factual error in the order, the judge declined to acknowledge or correct it, showing bias and disregard for accuracy.
  4. **Appearance of Retaliation or Bias:** Given my prior complaint regarding this same judge's conduct, the rapid issuance of judgment immediately after the opposing motion and before my response creates a reasonable appearance of retaliation, violating Canon 1's requirement to uphold public confidence in judicial integrity.
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### Requested Action

I respectfully request that the Commission:

1. **Investigate** whether Judge [redacted] violated Canons 1, 2, and 2.6(A) by denying my right to be heard and disregarding pending motions;
2. **Determine** whether entering judgment during open contempt and clarification proceedings constitutes bias or a pattern of procedural abuse; and
3. **Take appropriate disciplinary or remedial action** to preserve the integrity and fairness of Arizona's family-court system.

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Submitted on:

Signature: \_\_\_\_\_

Key Authorities:

- Ariz. Const. art. 2 § 4 (Due process)
- Arizona Code of Judicial Conduct, Canons 1, 2, and 2.6(A)
- ARFLP Rule 35(a)(2) (Response time for motions)
- *Volk v. Brame*, 235 Ariz. 462 (App. 2014)

Filing ID

**IN THE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF**

**In re the Matter of:**

Petitioner/Appellee,

v.

Respondent/Appellant.

Case No.

**MOTION TO VACATE OR RECONSIDER FINAL JUDGMENT, CLARIFY PENDING  
CONTEMPT, AND REQUEST FOR SANCTIONS FOR BAD-FAITH CONDUCT**

Assigned to the Honorable Judge's

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**I. INTRODUCTION**

1. Petitioner/Appellee ("Petitioner") respectfully moves this Court, pursuant to **Rules 83 and 85 of the Arizona Rules of Family Law Procedure (ARFLP)**, to vacate or, in the alternative, reconsider the "Final Judgment" entered on \_\_\_\_\_, and to clarify that enforcement and contempt proceedings remain active.

2. The \_\_\_\_\_ ruling was entered in violation of **ARFLP Rule 78(c)** and **Petitioner's due-process rights**, as the Court acted before reviewing Petitioner's timely response and while a pending contempt motion and related enforcement matters remained unresolved.

3. The minute entry further contains a **material factual error**, incorrectly stating that the motion for judgment was filed by "Respondent Husband," when in fact it was filed by his counsel,

4. Respondent and his counsel have refused to pay ordered child support and continue to **weaponize the appellate process** to harass Petitioner. Their filings are intended to delay enforcement and evade responsibility for ongoing contemptuous conduct.

5. Vacating the improperly entered judgment and restoring the pending enforcement and contempt matters is the only lawful and equitable remedy consistent with **A.R.S. § 25-503(E)** and Arizona case law.

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## II. PROCEDURAL BACKGROUND

6. On \_\_\_\_\_, Respondent's attorney, \_\_\_\_\_, filed a "Motion for Entry of Final Judgment in Aid of Appeal."

7. That motion **knowingly and deliberately omitted the mandatory Rule 78(c) certification language** required to create a final, appealable order. At the time of filing, \_\_\_\_\_ **was fully aware** that a **Motion for Contempt** was pending before this Court—one which Petitioner intended to amend to include **ongoing violations and additional enforcement issues**.

8. Despite that knowledge, \_\_\_\_\_ **misled both this Court and the Court** \_\_\_\_\_ by filing as though no issues remained pending, attempting to induce the trial court to enter a final judgment in violation of Rule 78(c).

9. **Please see Petitioner's previously filed Motion and Response** dated \_\_\_\_\_, which was timely filed and accepted by the Clerk. The Court issued its ruling the very next day, \_\_\_\_\_, without mentioning or acknowledging that filing, thereby denying Petitioner the right to have her response reviewed and heard.

10. The **Arizona Court** \_\_\_\_\_ **itself acknowledged** that \_\_\_\_\_ *purposely omitted the required Rule 78(c) language*, and explicitly stated that it would " \_\_\_\_\_ " because the omission failed to comply with its directive. This acknowledgment by the appellate court confirms that \_\_\_\_\_ omission was **knowing, deliberate, and intended to hide or detour from the open contempt and enforcement matters** before this Court.

11. **Petitioner has clear legal standing** to file this Motion and seek relief. As the prevailing party below, the custodial parent, and the real party in interest to all child support and enforcement matters, Petitioner maintains direct and continuing standing under **A.R.S. § 25-503(E)** and **ARFLP Rule 91(A)** to enforce child support orders, pursue contempt, and request sanctions for bad-faith conduct. This Court likewise retains jurisdiction over all enforcement, contempt, and sanction matters notwithstanding any appellate stay, as such orders are *continuing obligations* under Arizona law. See *Molina v. Molina*, 211 Ariz. 130 (App. 2005).

12. Nevertheless, on \_\_\_\_\_, the trial court entered a "Final Judgment" granting Respondent's motion **without reviewing Petitioner's response** and while the contempt motion

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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.**