

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-588

Judge:

Complainant:

ORDER

The Complainant alleged a superior court commissioner violated a litigant's due process rights and was biased in a probate 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 reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The Commission approved sending the judge a confidential advisory letter reminding the commissioner of the duty to promote confidence in the judiciary. The complaint is therefore dismissed pursuant to Commission Rules 16(b) and 23(a).

Dated: June 9, 2026

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on June 9, 2026.

Comp

25-588

Phone:

com

VIA email and Regular U.S. Mail

Arizona Commission on Judicial Conduct
1501 W. Washington Street
Suite 229
Phoenix, AZ 85007
cjc@courts.az.gov

Re: Conservatorship of
Commissioner

Dear Commission:

The purpose of this letter is to report and document unethical and unprofessional conduct and rulings adverse to established Arizona law by Commissioner in the above-referenced matter.

1. On at a virtual status conference the Court set an in-person, all day, evidentiary hearing for , on the Petition to Appoint Permanent Conservator and Guardian for . The Court set as the deadline for all parties to exchange their list of witnesses and list of exhibits.

2. On , one day before the deadline for the exchange of witnesses and exhibits, , counsel for filed her Motion to Withdraw, without consent. motion acknowledged the deadline and the in-person evidentiary hearing.

3. On , Court appointed GAL for , filed an “ ” and also filed an “ ” on behalf of (No Petition to Appoint a Conservator for was filed or has ever been filed)

4. On the Court issued a Minute Entry converting the all-day, in-person evidentiary hearing to a “ ”. As of

no party had provided _____ or his counsel or the Court a list of witnesses or a list of exhibits as required no later than _____.

5. On _____ at _____ the Court began the conference by stating we are here for “ _____ ” and “ _____ ”

See Exhibit 1, transcript of _____ status conference at _____

6. Present for the status conference were the parties to the case, Court Appointed Counsel (“ _____ ”), _____, Court Appointed Guardian Ad Litem (“GAL”), _____

_____ Husband of _____ and his attorney _____ daughter of _____ and _____ son of _____ Also initially present were _____ interested parties / probate advocates who were appearing on behalf of _____

_____). Also present were _____ and his counsel _____ from _____ (_____, _____ from _____ and a private investigator hired by _____, who previously provided an ex-parte “ _____ ” to the Court, which the Court reviewed prior to the status conference. *See Transcript, at _____ attached as Exh. 1.*

7. Before the status conference began _____ motioned the Court to close the conference to anyone not a party, asserting the status conference was confidential due to _____ “ _____ ” *See Exhibit 1 at _____*

8. Commissioner _____ immediately granted _____ request, as she has at every single conference or hearing in this matter. Therefore, all interested probate advocates (on behalf of _____) were prohibited from attending and were terminated from the status conference. However, _____ and a private investigator with _____ (who’s name was never disclosed) who were absolutely **not** parties in the case were allowed to remain by Commissioner _____ a showing of bias by the Court to individuals brought by _____ and the GAL, who were not parties, but were allowed to participate and give testimony at a status conference. *See Exhibit 1 at _____*

9. The GAL’s bringing of _____ and a private investigator to the status conference was completely by surprise to _____ and his attorney, and most likely _____ and _____ children. They were never noticed as witnesses and were allowed to remain for a status conference while others were excused.

10. The hearing was scheduled, noticed and represented as a status conference by the Court via minute entry on _____ Commissioner _____ changed the status conference into a three-hour evidentiary hearing. There was no notice to _____

as required by ARS § 14-5309(A)(2). There was no notice to his attorney. There was no notice to the protected ward, of an evidentiary hearing as required by ARS §14-5309(A)(1). If fact, there was no notice to any party of an evidentiary hearing. The court's Minute Entry clearly stated that the hearing was a one-hour virtual status conference. Commissioner had no legal authority to change a status conference into an evidentiary hearing without a minute's notice to any party and thereafter allow to be subjected to several hours of examination by three attorneys and the Court, without notice or representation. Commissioner actions were a deliberate violation of and statutory and constitutional rights.

11. The hearing began with counsel, stating that she has serious concerns about constitutional rights, due process rights, his and rights to privacy and unnecessary intrusions by , voiced concerns about the level of hostility and animosity by appointed counsel. She advised the Court that was making safe, healthy, and independent decisions concerning , his . The Court agreed with assessment of .

12. had previously filed a Motion to Withdraw for not being able to contact also was under the impression the hearing was a status conference. Commissioner approved Motion to Withdraw and excused her from the hearing. *See Exhibit 1 at* . Immediately thereafter the GAL, with the approval of the Commissioner , began what was to become a three-hour evidentiary hearing with the GAL's intense and argumentative questioning of , without counsel, without the Court advising of his right to new counsel, right to a trial by jury and over the objection of , all in violation of ARS § 14-5309.

13. It was clear that the Court released attorney, without his consent, knowing that the Court was going to hold a full evidentiary hearing and not a status conference. and have a statutory right to timely notice (14 days) of an evidentiary hearing on a Petition to Appoint Permanent Conservator for and a right to counsel. See ARS § 14-5309(B).

14. The court illegally advised and threatened , and only , prior to his testimony that the Court could issue a fiduciary arrest warrant for him, if he did not cooperate fully with the evidentiary hearing, the Court and provide testimony, (all without any prior notice or opportunity to prepare). *See Exhibit 1, at*

15. No notice as required by Arizona statute was ever provided to or his attorney or to . No notice was ever given that the status conference was to be a three-hour evidentiary hearing with testimony and direct

examination of _____ by three attorneys for the purpose of assigning a Permanent Conservator for _____, who as it was later ordered was _____, a non-party, who the court allowed to attend the hearing and had previously filed Affidavits of Appointment (for a status conference).

16. No prior notice of an evidentiary hearing to appoint a permanent conservator was provided to _____ or _____ children.

17. Despite there being no notice of an evidentiary hearing (to appoint a permanent conservator for _____), the GAL, _____, and _____ were fully prepared with scripted questions for _____. As stated, the GAL also brought to the status conference a private investigator and two corporate fiduciaries, fully previously prepared to give testimony to the Court. *See Exhibit 1, at _____*. The only way the _____ and GAL could have known the status conference was going to be an evidentiary hearing was if the Court gave them notice.

18. The Court never advised _____ that he could have counsel at the status conference turned evidentiary hearing, even given the fact the Court accepted _____.

_____ Motion to Withdraw and then continued with an evidentiary hearing. The Court even stated on the record how “_____” it is to have _____ give testimony and to have the court question _____ without representation by counsel.

19. The status conference proceeded from _____ to _____ with examination and cross-examination and re-cross examination of _____. _____ objected several times to irrelevant questions asked by the GAL. The Court overruled all of _____ objections and ordered him to answer all questions asked by the GAL. Several times _____ sought to give explanation to his answer, but the Court shut down and allowed the GAL to badger and attempt to intimidate _____. *See Exhibit 1,*

20. The Court also questioned _____, without any benefit of counsel or notice of an evidentiary hearing regarding health, financial assets and other issues. *See Exhibit 1, at _____*

21. _____ questioned _____ about all manner of his care for _____, finances, bank accounts, investments, and care givers. *See Exhibit 1,*

22. _____, counsel for _____, questioned _____ about his care for _____ food, medicines, mental health, and care givers. *See Exhibit 1,* _____ -

23. The Court then stated that the questioning of _____ was _____ due to the fact that _____ was “_____.” But, the court continued questioning _____. _____ regarding virtually every aspect of his care for _____ (which the Court seemed very pleased with). *See Exhibit 1, at* _____.

24. The Court then allowed _____, GAL and _____ to re cross-examine _____ based on the questions asked by the Court. *See Exhibit 1, at* _____.

25. As representatives of _____, at no time did _____ or GAL _____ object to any questions asked by any party or the Court of _____, **even though**, the _____ documents clearly state that should _____ become incapacitated, she chooses her _____ to take care of her. (A point _____ made to the Court, prior to the Court releasing her. Also, a point that _____ made to the Court.)

26. After three hours of testimony there should have been no question with the Court or all parties that _____ was competent to care for _____ and _____ provide for her daily needs, including doctors, medicine and all care providers. The Court even stated that “_____.” *See Exhibit 1, at* _____.

27. _____ testified that “_____.” *See Exhibit 1, at* _____. She further testified that there were “_____” and that “_____.” *See Exhibit 1, at* _____.

28. At the end of the hearing the Court asked the GAL “_____.” The GAL responded and requested that _____ and _____ who was present and had already filled out an Affidavit of Appointment, be appointed. *See Exhibit 1, at* _____.

29. _____ stated that his client always “_____,” and “_____.” *See Exhibit 1, at* _____.

30. Incredibly, _____, counsel for _____ and _____ gave his opinion is direct opposition to the stated testimony of his clients, _____ children. _____ stated he wanted _____ to be guardian and conservator and _____ POA revoked. *See Exhibit 1, at* _____.

31. Even more incredible, although the Court stated that _____ is “_____” y _____, has the “_____,” and “_____” appointed _____ and _____.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
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.**