

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-604

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 judicial officer a confidential advisory letter reminding of the duty to promote confidence in the judiciary. The complaint is therefore dismissed pursuant to Commission Rules 16(b) and 23(a).

Additionally, the complainant submitted a request for a protective order to keep her name and contact information confidential and not released to the public. Because the Commission has dismissed the matter, the public record in this matter will consist of the complaint and dispositional order with all identifying information redacted. Therefore, the Commission deemed the protective order request moot.

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

Date:

25-604

To: Commission on Judicial Misconduct

From:

RE: Commissioner _____ Court. Parties involved:
Guardian Ad Litem, _____ Court Appointed Counsel
Fiduciary) of _____ and their counsel, _____ and

This is a ongoing case and Understand you cannot reverse decisions

I am writing to you regarding Commissioner _____. This is in regards to the matter of Case Number _____. I am a friend of _____, _____ husband. I have been witness to this case since _____. In _____ moved to _____ with his wife of _____ as guardian and conservator of his wife. The probate court was attempting to put his wife into a conservatorship as well as himself.

On _____, Guardian Ad Litem, filed a motion with the court to hold an evidentiary hearing. On _____, Commissioner _____ denied the motion because _____ counsel had filed a motion to recuse herself and she knew he would be without counsel.

_____ set the matter on _____ for a STATUS CONFERENCE. On _____ several advocates including myself appeared on behalf of _____ for this status conference. At this point no witnesses or evidence had been shared by _____ with then counsel _____. On or before _____ thru a private investigator provide an EXPARTE COMMUNICATION OF INVESTIGATIVE REPORT TO _____ without sharing it with then counsel _____. Read transcript of hearing in motion filed on 4 _____ on the docket.

_____ had provided no list of witnesses to the court as required by law for an evidentiary hearing. On _____ appeared on behalf of _____ and then recused herself. _____ was without counsel and Commissioner _____ indicated that if he did testify at this status conference she COULD ISSUE A FIDUCIARY ARREST WARRANT. There was no petition before the court for an evidentiary hearing on appointment of conservator _____.

_____, court appointed counsel, asked that all of _____ witnesses be excused from the hearing on _____. We were then dropped out of the hearing. Here are the key points:

- 1) _____ and Commissioner _____ did not kick out fiduciary, _____, _____ or its lawyers _____ and maybe _____), _____ and _____ Private investigator. They were not party to case at this point.
- 2) What was to be a status conference turned into a 3 HOUR EVIDENTIARY HEARING TO APPOINT A CONSERVATOR.
- 3) There was NO NOTICE as required by law, ARS 14-5405. Item D, provides for damages.
- 4) _____ did not object on behalf of _____, his client, as court appointed counsel to these witnesses and he failed to make sure he or his client were noticed of hearing.
- 5) Commissioner _____ Per ARS-14-5407 is required to read on the record a right to a jury trial on initial appointment. She failed to do so.
- 6) _____ and _____ were denied right to counsel, the right to see evidence, denied the right to see the **exparte communication** before the hearing and witnesses, were denied notice and right to jury trial.
- 7) Commissioner _____ did not follow law and appointed a conservator without notice and due process
- 8) At the end of the hearing **she threatened** _____ and said if he did not cooperate with the fiduciary she could bring his wife back to _____ or _____ all without notice of hearing. She is threatening a _____ with no notice of this appointment and without counsel.
- 9) There was some issue with _____ capacity. He held his own in the hearing and per transcript _____ commented how awkward it was he did not have counsel. In _____ passed an independent medical exam with flying colors at the cost of \$ _____ to _____ counsel, filed a motion with the court in _____ because _____ forwarded list of questions to the doctor without providing them to him. Again, _____ is showing her bias towards _____ by doing nothing.
- 10) A.R.S. § 14-5401(A)(2) to require clear and convincing evidence before the trial court appoints a conservator. Per the transcript, you can see _____ is holding his own quite well. Smith did not have clear and convincing evidence to appointment a conservator. In the trust _____ was to be guardian and conservator in event of incapacity.
- 11) All of the professionals willingly participated in no notice and no due process as experienced probate professionals

12) On _____ counsel filed a motion with the court. The entire transcript of that STATUS CONFERENCE TURNED EVIDENTIARY HEARING IS ATTACHED TO THE MOTION. You can review that on the docket.

13) The only fiscal responsibility the fiduciary has is paying one \$ _____ a month bill to an assisted living facility. **She made a capricious decision to deny the _____ of a right to a jury trial. I don't think a jury would go for a budget of \$ _____ for to pay one assisted living facility bill.**

On _____, once again she kicked the members of the public out the hearing. See attached Minute entry. She cited laws A.R.S. § 14-5303(C) and A.R.S. § 14-5407(D) as a reason to kick out _____ advocates. THESE LAWS DO NOT PERTAIN TO STATUS CONFERENCES.

These laws only apply to the INITIAL APPOINTMENT OF GUARDIAN/ CONSERVATOR. The members of the public know more about the laws under title 14 than Commissioner _____.

On _____ status conference, _____ and I, as _____ witnesses, were allowed to stay. The transcript of that hearing is attached. On Page 14, _____ denied any wrong doing in the matter on _____. On _____, she was made well aware of her due process violations via the motion yet she remains on this case.

Judicial officers are required to maintain impartiality in legal proceedings. If a judge knows they have denied due process, is it not essential for Commissioner _____ to consider immediate recusal?? I would think she should recuse herself because of the following.

- **Impartiality in Question:** If a judge's actions have compromised their impartiality, they should step aside.
- **Personal Bias or Prejudice:** If the judge has a personal bias regarding the case or the parties involved, recusal is necessary.
- **Commissioner _____ has not shown her duty to the law but rather her duty to the professionals in the case.**

_____ at _____ ran a _____ with a _____.

He is in the process of setting it up again to bring awareness to the continued problems of the Arizona Probate court and probate courts across this country. I think this will crush public trust and confidence in the probate system once again.

I saw the recent story that went viral across the nation regarding Commissioner _____ and _____ . She openly stated on the record, ***I think I violate the code of judicial misconduct every day.***

With _____ of assets under management in guardianship and conservatorship across this country. It is deeply concerning to have a judicial officer on the bench who blatantly admits to violating the judicial code of conduct and violated the constitutional rights and due process rights of the _____ with no notice and no right to a jury trial.

What is even more disturbing is she knows she has violated the _____ due process rights. How can she possibly fairly stay on this case knowing this and how will she be able to fairly assess fees due in the case especially in light of ARS 14-5405, Item D, when she has shown such bias toward these professionals.

D. The court may order a person who intentionally fails to provide notice of a hearing as required by this section, or who knowingly makes a false claim that the person did not receive notice of a hearing, to pay damages, including reasonable attorney fees and costs, incurred as a result of such unreasonable conduct.

Commissioner _____ has shown extreme bias towards the professionals she has appointed to the case rather than her duty to the law. Denial of due process is a very serious matter and I am sure if _____ gets his story out to the media thru his radio show it will seriously damage the public trust in the _____ County Judiciary. We hear the media is quite interested in the story.

Thank you.

From:

Sent: 1

To:

Subject: RE: Commissioner

County Probate CourtPlea

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I made an error in the eltter I provided in first paragraph. The case number is

From:

Sent: 1

To:

Subject: Commissioner

County Probate CourtPlea

Please see attached complaint and supporting documents. Thank you.

Witness for

Case Number

in the matter of

Phc

Schedule a time with me: [h](#)

**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.**