

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-609

Judge:

Complainant:

ORDER

February 20, 2026

The Complainant alleged a superior court commissioner failed to follow the law 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 member Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 20, 2026.

B. Due Process Violations and Failure to Review Substantive Evidence: The judge violated my due process rights by demonstrating a predetermined disposition and refusing to consider the evidentiary basis for my petition.

- **Misinterpretation of Video Evidence:** The judge stated that I " " when the video's purpose was to show the lack of supervision and the child's feeling of being unimportant, which was a clear misinterpretation of the evidence's intent.
- **Ignoring the Children's Statements and Living Conditions:** The Court concluded that " " , " despite clear video evidence demonstrating otherwise. In one recording, the minor daughter expressly states that she feels peace only while in my care, citing the ongoing chaos in the Arizona household. Another video shows the minor son explaining that he and his sibling are residing in a garage infested with insects due to an unrepaired hole in the wall caused by a prior fire. Additionally, Petitioner submitted photographs of the aftermath of the aforementioned fire and provided contrasted photos of children's bedrooms in her four-bedroom home, which reflect significantly safer and more stable living conditions.
- **Failure to Acknowledge Core Family Structure Issues:** The judge failed to properly consider evidence showing the Respondent's ongoing parental alienation, including forcing the children to refer to their stepsiblings as "real brothers," their half-sibling (to whom I gave birth) as their "step-brother," and their stepdad as "dad." This was presented to show how the Respondent is actively undermining the children's original family structure and singling me out as a parent, an issue that should have been given proper weight under A.R.S. § 25-403(A)(6).
- **Refusal to Hear Evidence:** Judge interrupted Petitioner and declined to consider the cumulative evidence of more than seven prior contempt findings entered against Respondent, including three that occurred after the parenting-time modification trial. This constitutes a severe due process error, similar to the appellate reversal principle in cases like *Ryan v. Ryan-Touhill* (Ariz. Ct. App. 2013), where the Court of Appeals directed the trial court to allow a party to present their full evidence and exhibits.
- **Exclusion of Core Legal Basis (A.R.S. § 25-403(A)(6)):** By excluding the extensive record of the Respondent's willful contempt for withholding the children, the judge failed to properly weigh the most critical factor in this modification proceeding:

." The Respondent's documented refusal of parenting time was the sole "material change in circumstance" justifying the petition.

II. Judicial Error in Application of A.R.S. § 25-403 Best Interest Factors

The court's findings failed to comply with the mandate of A.R.S. § 25-403(B) to make specific, evidence-based findings on the record for all relevant factors.

A. Misapprehension of Evidence (A.R.S. § 25-403(A)(1) and (A)(7)): The judge dismissed extensive documentary evidence while giving credence to unverified accusations, demonstrating a lack of impartiality.

- **Dismissal of Petitioner's Evidence:** Regarding Factor 1, the judge found, "
 ". This directly misrepresents the record, which contained extensive exhibits (e.g., photos, school involvement, community engagement) demonstrating the children's positive adjustment and well-being in Petitioner's care.
- **Acceptance of Unverified Accusations:** The judge utilized the allegation that my evidence was "**misleading**" as a best interest factor against me, a practice contrary to the need for verified, credible examples. Furthermore, the court accepted the Respondent's uncorroborated accusation regarding alleged **calls**, despite the Petitioner refuting the claim and the Respondent providing **no evidence** to support it. The judge failed to apply **A.R.S. § 25-403(A)(7)**, which requires the court to consider if a parent *misled the court*, yet failed to apply this against the Respondent's unverified accusations.

B. Unjustifiable Haste and Procedural Impropriety: The ruling was delivered with unjustifiable speed, compromising the thoroughness required for a modification trial.

- The hearing was conducted on a _____, and the final order was signed on _____, just one days later, during a week with limited court staff due to the _____ holiday. This suggests the judge essentially " _____," prioritizing the status quo over a thorough, mandated review of the evidence.

III. Requested Action and Legal Grounds

The totality of the judge's actions—including the biased language, the refusal to consider critical evidence of contempt, the acceptance of unverified claims, and the swift ruling—demonstrates an **abuse of discretion** and a violation of the **Arizona Code of Judicial Conduct**, Canon 2, which mandates impartiality.

- **Relief Sought:** A full review of this judicial conduct complaint and a finding that the judge failed to conduct a full and fair adjudication of the custody modification petition.
- **Appeal Intention:** I will be **seeking an appeal** of this judgment to the Arizona _____ on the established legal grounds of **abuse of discretion** and **judicial bias**.

IV. Specifics: Names, Dates, Times, and Places

- **Case Name:** In re the Matter of:
- **Case Number:**
- **Court:** _____ Court of Arizona, _____ County
- **Trial Judge Complained About:** Judge _____ (Special Assignment Judge)
- **Judge of Record:** Honorable _____
- **Hearing Date (Approximate):** _____ (The _____ preceding the _____ holiday).
- **Order Signed Date:**

- **Biased Statement (Specific Quote - Page 6 of 18): "**
."
- **Grounds for Misconduct/Appeal:** Judicial bias and abuse of discretion in applying **A.R.S. § 25-403(A)** and **A.R.S. § 25-403(A)(6)** (Parent most likely to allow meaningful contact).
- **Intention:** I will be **seeking an appeal** of this judgment to the Arizona on the grounds of **abuse of discretion and judicial bias**, which are established legal grounds that have resulted in judgments being overturned.

RESPECTFULLY SUBMITTED this day of

Petitioner Pro Per

COURT OF ARIZONA
COUNTY

Filing ID

HONORABLE

Case Number:

,
Petitioner.

-and-

,
Respondent.

**ORDERS ON LEGAL DECISION-MAKING,
PARENTING TIME, AND RELOCATION**

Background

Petitioner and Respondent are the divorced parents of -year-old and -year-old . Over the past years, these parties have had a nearly constant stream of litigation, mostly regarding custody issues.

Excluding hearings on temporary orders, the first trial occurred in . appeared and testified that she had been the chief caregiver for the children since birth and that had committed an act of domestic violence against her. failed to appear, so testimony was un rebutted. In the resulting *Decree of Dissolution of Marriage*, the Court awarded sole legal decision-making authority and made her the primary residential parent, with being afforded parenting time upon giving two-days notice.

Within only months following the first trial and *Decree*, had already filed petitions to either modify or enforce the custody orders, plus a motion to set aside. likewise submitted a petition to enforce and a petition to establish child support, which was not included in the *Decree*. In , the parties stipulated to temporary orders, which the Court approved, to share joint legal decision-making and equal parenting time, on a week-on/week-off schedule. The parties further agreed to dismiss various orders of protection to accommodate this arrangement and use a third-party app for communication. Unfortunately, the peace was short-lived. Although the parties had stipulated to temporary orders, a subsequent mediation was unsuccessful. Both parties requested additional temporary orders. The Court granted one of these requests regarding the children's school. In , on the eve of a trial to consider final orders on the various post-decree filings, submitted another petition — this time seeking to relocate with the children to .

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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.**