

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 26-022

Judge:

Complainant:

ORDER

April 14, 2026

The Complainant alleged a superior court commissioner was biased, failed to follow the law, and had poor demeanor 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 Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 14, 2026.

RE: COMPLAINT REGARDING COUNTY COMMISSIONER**I. INTRODUCTION**

This complaint concerns conduct in County Case No. , that raises serious concerns regarding the court's impartiality, adherence to governing law, and the appearance of fairness. The complaint is based on specific rulings, statements, and procedural omissions reflected in the record, including the factual circumstances set forth in detail in Petitioner's Motion to Change Judge and the Motion To Amend, Vacate, Or Reconsider Non-Final Order Re Attorneys' Fees filed in , Case No. , both of which are attached and incorporated by reference.

II. JURISDICTION

The Arizona Commission on Judicial Conduct has jurisdiction to investigate allegations that a judicial officer has engaged in conduct inconsistent with the Code of Judicial Conduct, including conduct that undermines public confidence in the judiciary's independence, integrity, and impartiality.

III. ISSUES

1. During proceedings in this matter, the court's in-court actions as well as its issued orders treated similarly-situated parties differently, imposed drastically heightened scrutiny on Petitioner's advocacy, and consistently failed to engage with material evidence nor follow legal authority.
2. The court's demeanor when interacting with counsel for Petitioner has consistently fallen

outside what may be reasonably expected of a judicial officer.

IV. EXPLANATION OF ISSUES

A. COURTROOM CONDUCT AND APPEARANCE OF FAIRNESS

During the hearing, the court interrupted Petitioner's counsel, curtailed argument, and employed an uneven tone of admonishment while welcoming commentary by Respondent's counsel. The court at one time rolled his eyes while counsel for Petitioner was speaking. At another point after counsel mentioned the time needed for the upcoming hearing on her motion concerning the parenting coordinator, the court stated in substance that it had already reached a decision before reviewing the factual record or considering the evidence presented by telling counsel in a sharp tone that the matter would not take long despite what time she suggested she needed. The court's statements conveyed that the outcome was predetermined, undermining confidence that the motion would be decided based on the facts and law. The court also negated Petitioner's concerns about the father's sexual abuse of other children, openly disregarded her concerns voiced by counsel, invited Respondent to file a motion for attorney's fees, and declined to allow her to make a closing argument. Viewed cumulatively, these behaviors raise significant concerns regarding the appearance of impartiality and fairness required by the Code of Judicial Conduct.

Petitioner interpreted the court's behavior and comments to mean she should not be complaining about Respondent/Father, but should instead allow him to do whatever he wants no matter how egregious his conduct. The pattern is also evident from the court's comments and rulings (e.g., telling counsel that he would not be " " despite his statutory requirement to " " issues that pertain to the best interests of the child and in particular when the allegations pose a serious potential threat to children), the court's arguing with counsel (telling counsel that "all cases are important" to negate counsel's urging to please listen as this case involved

¹ This statement by the court revealed (1) its belief that Petitioner was acting *inappropriately* by bringing what the court believed to be *criminal sex abuse of children* charges; and (2) that the court had not read the pleadings as the sexual abuse allegations had been investigated and documented by Father's employer and did not involve any court proceeding, including a criminal one, as Mother's pleadings made clear.

serious allegations central to a best interests’ analysis), and the court’s acceptance of comparable and even demonstrably worse conduct in this case from Respondent.

The court’s interactions and orders each reflect its hostility toward Petitioner and her lawyer which prejudgments appears to have substituted for the otherwise required engagement with and analysis of evidence and exhibits, including in this case exhibits that were timely filed and directly responsive to the issues before the court, but which the court did not review whatsoever despite those exhibits being central to Petitioner’s position, repeatedly cited in briefing, and being too lengthy and complex to scan and sum up. It instead ruled from the bench without taking any time whatsoever to review exhibits. It also accepted claims Respondent’s counsel made as if they were evidence and were true, while ignoring or rejecting every single claim Petitioner made.

Please also see the motion for change of judge.

B. APPARENT RETALIATION

Shortly after Petitioner filed a Motion to Change Judge, the court issued an in-chambers sanctions and fee order in which he ordered Petitioner and counsel for Petitioner to each pay . The order did not address the procedural posture created by the motion, nor did it identify any intervening conduct that would explain the escalation in sanctions. It also ignored proof that the attorney for Respondent falsified her financial affidavit. The timing, contents, and context raise concerns regarding the appearance of retaliation for the exercise of a procedural right.

C. THE SANCTIONS ORDER FAILED TO ENGAGE EVIDENCE AND LAW

The sanctions order does not reflect consideration of material exhibits timely submitted and directly responsive to the issues before the court. Nor does it address controlling legal authority cited by Petitioner. It was made without providing any notice or opportunity to be heard. It ignored Petitioner’s counsel demonstration, with proof, of Respondent’s counsel’s falsification of financial information in support of her attorney fees motion and her history of discipline for dishonesty. Its basis – “bullying” for telling counsel to stop violating the ethical rules (which is an ongoing issue with this attorney, as other evidence shows) – has no basis in the law and is patently

unreasonable; its reasoning is a pretext and the order appears to have been done to punish Petitioner and her lawyer to make crystal clear to counsel whose wrath must not be invoked or punishment will ensue.

Please see attached motions for further information.

V. DIFFERENTIAL TREATMENT AND GENDER-BASED STEREOTYPING

The record reflects differential treatment consistent with gender-based discrimination and sex-stereotyping as explained by the *Price Waterhouse* framework.

Assertive litigation conduct by Petitioner and her counsel, including her attempts to (1) obtain a full copy of an itinerary for her son's international travel and (2) bring Father's sexually-assaultive conduct to the court's attention, which included findings from a then-recent, documented investigation were Respondent () had been found to have sexually harassed, including by touching, several of his , were characterized as *improper* and *sanctionable*, which the court made clear during the hearing with its comments, *including by inviting Respondent to file a motion for sanctions*, while even more egregious conduct, including Respondent's proved sexual abuse of his minor and his repeated harassing conduct of Respondent to Petitioner (which is extensively documented in the record and in the pleadings such as by most recently refusing to provide her with an itinerary for their son's international travel), was ignored, tolerated, or credited. Such patterns mirror recognized forms of stereotyping in which assertive conduct by women, particularly if they try to exercise power over males, is reframed as unreasonable or hostile.

The record reflects additional, differential treatment of Petitioner and her counsel that is consistent with gender-based stereotyping and discrimination, including adverse credibility determinations, heightened scrutiny of Petitioner's advocacy, refusal to provide set time requested or even allow Petitioner's counsel to make a closing argument, and the imposition of sanctions for conduct that is routinely tolerated when undertaken by similarly situated male litigants, which in this case includes asking for temporary orders when a reasonably perceived danger to the child exists.

VI. IMPACT ON LITIGANT AND PUBLIC CONFIDENCE

The court's in-court conduct made clear that the court expected certain things and they needed to be followed. It made clear that it did not matter how bad Respondent'-Father's conduct was or what the law required; Petitioner-Mother was going to lose. The court did not follow the law, and it did not review or consider any exhibits or pleadings, but instead imposed the decision it arbitrarily determined was best. Based on the court's conduct Petitioner filed a motion for change of judge. Immediately afterward, the court imposed _____ in sanctions to both _____ and _____ to her lawyer.

The court's actions are undoubtedly retaliatory and they additionally appear to be discriminatory based on sex and sex stereotyping. The sum total of this conduct undermines confidence that similarly situated litigants receive fair, much less equal, treatment under the law or that the law will be followed since the court either does not know it and/or declines to follow it.

VII. CONCLUSION

For the foregoing reasons, both counsel and her client respectfully request that the Commission review the record in this matter, determine whether the conduct described violates the Arizona Code of Judicial Conduct, then take appropriate action to remedy the conduct.

Complainants also suggest that the Commission reach out to other attorneys who practice in front of Commissioner _____, including (but not limited to) those who wrote letters of recommendation for him, as the concerns raised in this letter are shared by many attorneys whose practice takes them into his court.

VIII. AFFIRMATION

Undersigned counsel declares that the contents of this document are true, complete, and accurate to the best of her knowledge.

**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.**