

Petitioner: Martin D Lynch  
"Concerned Parents"  
"National Parents Organization"  
Chairman of the Legislative Committee – AZFR  
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IN THE SUPREME COURT

STATE OF ARIZONA

MOTION to AMEND ADMINISTRATIVE	)	
ORDER NO. 2015-13, APPENDIX A	)	Supreme Court Number
REVIEW COMMITTEE ROSTER, REPLACE	)	R-15-0006
JUDGE BARTON WITH JUSTICE SCHWANN	)	
_____	)	

**To the Honorable Chief Justice Scott Bales of the Arizona State Supreme Court,**

Pursuant to Article VI, Section 3, of the Arizona Constitution "The Chief Justice" "shall exercise the courts administrative supervision over all the courts of the state." The Chief Justice has done so via Administrative Order No. 2015-13. These proceedings have arisen because consumers of Parenting Coordinator services had registered their dissatisfaction with the quality of those services. Petitioner seeks that Chief Justice Scott Bales Revise Appendix A for the following reasons and in the following manner.

It is impossible to understand the struggle over the content of Rule 74 until you realize that Rule 74 generates approximately \$25 million annual revenue to the providers on the court roster. Petitioner has read the latest proposed version of Rule 74 and can only ask how this new rule adequately addresses the four concerns originally set out to be addressed by this committee?

1. PC fees (range, cap, inquiry about parents' finances, length of services, etc.)
2. Lack of recourse/appeal process for litigants.
3. Qualifications of parenting coordinators.
4. Scope of authority of parenting coordinators

Petitioner must conclude from the evidence that the plight suffered by those subjected to “PC abuse for money” will only be worse under the new rules. On Jan 8 Judge Barton claimed that Rule 74 was based upon AFCC guidelines (P 9 of 43), but it is not. The immunity provisions on Page 23 of the AFCC guidelines for parenting coordination are completely antithetical to the old, or to the new Rule 74. On May 11 Judge McMurdy was correct when he stated Quasi-Judicial immunity was appropriate for PCs. His statement was in keeping with page 23 of the AFCC guidelines. Committee Chair Judge Barton quickly squelched this idea in favor of full judicial immunity for PCs. Rule 74 does not define the precise nature of PC immunity but full judicial immunity is effectively what the victims of “PC abuse for money” are and have been subjected to. On May 11 Judge Barton stated that judicial immunity provides ample recourse for litigants, a statement which is false to the point of absurdity.

On May 11 Judge Barton also stated that if criminal acts were committed by a PC that a litigant could take the matter up with law enforcement authorities. This is of course even more non-sense. Perhaps Officer Inanoff Badge #1402 of the Scottsdale police or the County Attorney or the State Attorney General can instruct Judge Barton or anyone else, that the agents of Family Court are completely immune to criminal investigation unless an investigation is formally requested by the court. Litigants have no recourse, zero, nothing at all for felony or any other crimes committed against them or their children by agents of the Family Court.

Petitioner has previously outlined to the committee that the relationships between Judges and PCs constitute violations of Supreme Court Rule 81, Cannons 1, 2 and 3 thus violating the civil rights of those objecting to a PC recommendation. Petitioner has provided suggestions to address this glaring conflict of interest which Judge Barton has chosen to ignore so that “PC abuse for money” might be perpetuated.

Judge Barton has also ignored the concerns of Justices **Swann** and Duncan (published on the forum 4/27/2015) who may be some of the few members of the Arizona State Judiciary who have not been corrupted by this plague of “PC abuse for money”. Both the old and the new Rule 74 grants PCs nearly unlimited power and undue influence with the Family Court judges far in excess of the powers granted by statute, in violation of Rule 81 Canons 1, 2 & 3 and in violation of the due process rights of litigants.

On Jan 8 Judge Barton stated (P 42 of 43) that “PCs are invaluable to the court.” It is non-sense to assert that “PC abuse for money”, violating statutes and due process rights are in any way “invaluable”. Instead, this criminal conspiracy can only prove to be far more trouble than it is worth. On May 20 this petitioner submitted dozens of

complaints registered against one PC who is now on the court roster and seems quite active, but not in a good way. Petitioner has personal experience with this PC and can confirm that harm to children and felony crimes are being committed in the name of this court and under any known version of Rule 74 there is no way for the countless victims of this man to have him removed from their case, or from the court roster. Both parents must agree and since he aligns himself with the alcoholic or otherwise impaired parent, he is set free to churn billable hours while recommending that pornography be provided to minor children which according to Title 13, is a class 4 Felony. The court has been notified of this and three other felony crimes and has done nothing. All of this is what Judge Barton seeks to perpetuate and protect.

Therefore, it is clear to this petitioner that this committee chaired by Judge Barton has no reasonable chance of producing a revised Rule 74 which conforms to the statutes and preserves due process rights of litigants. Petitioner can only speculate that Judge Barton has been unduly influenced directly or indirectly by the \$25 million annual take of the scheme “PC abuse for money” and/or formed improper relationships or other improprieties with PCs which would be considered prejudicial to the administration of Justice and in violation of Rule 81 Cannons 1, 2 and 3.

The Chief Justice may review the comments on the court forum for R-15-0006 to confirm that many people of great responsibility, credentials and repute have registered serious reservations with the direction this committee has taken under the leadership of Judge Barton. The Chief Justice may also be assured that “we the people” will not passively tolerate “PC abuse for money” and will pursue this matter at any and all levels of government necessary until this scandal has been eliminated from our Judiciary. Our children will be protected. There is no negotiation.

Therefore, this Petitioner hereby respectfully requests of the Chief Justice of the Arizona State Supreme Court, the Honorable Justice Scott Bales, that Administrative Order No. 2015-13, Appendix A be revised such that Judge Barton is removed from the committee and Justice Schwann be appointed as chairman. A new schedule should be devised such that a revised Rule 74 conforming to the statutes and preserving the due process rights of litigants can yet be implemented in 2015.

Respectfully and Sincerely,

**June 15, 2015**

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Martin Lynch