

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

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2008 NOV 30 PM 12:20

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

The Arizona Supreme Court has not been able to eliminate corruption within the Arizona Courts. Justices of the Supreme Court have gone to extremes to protect corrupt Arizona Judges. Because of the failure of the ~~the~~ Arizona Supreme Court, people of the State of Arizona have been made victims.

This Amendment will provide a remedy to victims of Arizona judges by providing for a remedy. Victims of Arizona courts will not have to rely on the Arizona Supreme Court to protect their rights. This Amendment has been forced upon us by the Arizona Supreme Court covering up for judges.

Signature of Applicant

Name of Organization (if any)

Marla Kay Haskins
Printed Name of Applicant

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CF: 200802849
Date of Application <u>11-30-2006</u>
Signatures Required <u>TBD 230,047</u>
Deadline for Filing <u>TBD July 3, 2008</u>
Serial Number Issued <u>C-02-2008</u>

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Description

The Arizona Supreme Court has not been able to eliminate corruption within the Arizona Courts. Justices of the Supreme Court have gone to extremes to protect corrupt Arizona Judges. Because of the failure of the Arizona Supreme court, people of the State of Arizona have been made victims.

This Amendment will provide a remedy to victims of Arizona Judges by providing for a remedy. Victims of Arizona courts will not have to rely on the Arizona Supreme court to protect their rights.

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AN INITIATIVE MEASURE

REDEFINING POLITICAL POWER IN THE ARIZONA CONSTITUTION,
ARTICLE II, SECTION 2.

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Be it enacted by the People of Arizona:

1. Article II, Section 2, Constitution of Arizona is proposed to be amended as follows, if approved by the voters and on proclamation of the Governor.
2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by Article XXI, Constitution of Arizona.

2.2 Political Power to include Judicial Reform.

TEXT OF THE AMENDMENT

- a) Whenever allegations of misconduct are made against judicial officers, the judicial officer(s) shall be suspended without pay. The decision judgment subject to the misconduct shall be held invalid.
- b) The complaint for judicial misconduct made by way of a petition/motion shall be made in the Superior Court in which the matter where in the misconduct was alleged to have been committed was/is pending.
- c) There shall be no filing fee for filing the complaint/petition and upon receipt of the complaint/petition the clerk of the Court shall serve a copy to the Chief Justice, the Judge accused and the complainant.
- d) The Chief Justice shall appoint a Judge and a 12 person jury within 72 hours of filing of the complaint/petition.
- e) Counsel shall be appointed for the complaint/petitioner.
- f) A public trial shall be held and if it is shown by "some evidence" that the allegations may be true, the judicial officer shall be found Guilty.
- g) As sanctions, all decisions made by the judicial officer against the complainant shall be deemed void.
- h) The judicial officer shall not be allowed to ever hold any public office and the Sated Bar of Arizona shall disbar the judicial officer for life.
- i) Hearsay evidence shall be admissible against the judicial officer.
- j) The judicial officer shall disclose the complete litigation file and be subjected to oral depositions.
- k) The judicial officer may appeal the decision to the Arizona Supreme Court. If there is "some evidence" showing misconduct, the Supreme Court shall uphold the decision.
- l) A minimum of seven jurors must vote in favor of a finding under this section.
- m) These provisions shall be retroactive to January 1, 1980.

- n) In the event a judicial officer subject to these provisions has resigned or retired, if that judicial officer refuses to participate in proceedings pursuant to this amendment, the State Bar of Arizona shall disbar the judicial officer. Any and all benefits the State of Arizona pays the judicial officer shall be stopped.
- o) Judicial officers in Arizona shall be held liable in Arizona for any and all actions taken by them in their judicial capacity. They shall be liable for the tort of judicial corruption "the plaintiff need only prove by "some evidence" that the allegations are true. Punitive damages shall also be assessed against the judicial officer. Assets otherwise exempt from judgments shall not be exempt for damages under this section. Any claims for judicial corruption must be brought within 25 years after the incident.
- p) Criminal convictions of the claimant or prior favorable decision obtained by the judicial officers shall not be proved by the claimant a "lack of intense" or "lack of knowledge" shall not be a defense.
- q) The character, reputation of the judicial officer shall not be a defense under this section.
- r) The State of Arizona shall not pay for the defense of any proceedings nor shall the State of Arizona pay for any damages awarded against the judicial officer.
- s) If any provision is found invalid, the other provisions shall remain in effect.
- t) If it is proven by some evidence that a judicial officer made judicial decisions in any case after January 1, 1980 in which (a) any lawyer representing any part was affiliated with any law firm with which the Judicial officer had any affiliation at anytime, be it a private law firm or any agency/entity when the judicial officer was ever affiliated with or (b) any lawyer or Judicial officer has ever attended any social/political/educational activity/gathering function that the judicial officer making the judicial decision also attended at anytime, that judicial decision shall be void and the judicial officer liable pursuant to these provisions. "Judicial officer as used in this Paragraph means" any person with the judicial, Executive or Legislative Branch who hears the position taken by parties and makes a decision. This includes hearing officers for agencies.

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Judicial Summary

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Judges in Arizona are not held to the same standard as every Arizona citizen because they are held to a different standard.

The five Justices of the Arizona Supreme Court protect corruption within the Arizona State Courts. This Amendment will now be responsible for what they do.

As corruption is deeply embedded in the Arizona courts, this Amendment is retroactive to January 1,1980.

Five Justices of the Arizona Supreme Court has refused to protect victims of Judges and this Amendment guarantees protection.

Arizona needs honest Judges.

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