

Request for Investigation Regarding Judicial Conduct



Introduction

I respectfully submit this letter in support of my complaint requesting that the Commission review the judicial conduct that occurred during my criminal and related family court proceedings. This complaint is not based solely on disagreement with judicial rulings or dissatisfaction with the outcome of my case. Rather, it concerns whether the proceedings reflected the impartial application of California law, meaningful consideration of relevant statutory provisions, and the due process guaranteed to litigants.

Basis for My Complaint

Over several years, I preserved and organized substantial documentary evidence relevant to my proceedings, including:

- Multiple Good Cause reports.
- Numerous law enforcement reports.
- Medical records.
- Court records, minute orders, and transcripts.
- Documentation reflecting years of reported abuse and safety concerns that predated my pregnancy and continued thereafter to the present.

My concern is not that the evidence required a particular outcome. Rather, it is that the evidence and applicable statutory protections were not meaningfully considered throughout the proceedings.

Failure to Meaningfully Consider Penal Code Section 278.7

Throughout my criminal proceedings, I consistently raised the applicability of Penal Code section 278.7, California's "good cause" provision. Based on the evidence available in my case, I believed this statute warranted careful judicial analysis. Recently, the California Commission on State Mandates issued a Proposed Decision in Child Abduction and Recovery, Case No. 25-4237-I-05, concluding that Penal Code sections 278, 278.5, and 278.7 together define the scope of California's Child Abduction and Recovery statutory framework and that categorically

excluding activities related to "good cause" cases under section 278.7 is incorrect as a matter of law.

Although that proceeding concerns reimbursement under the Child Abduction and Recovery Program rather than criminal liability, it reflects formal recognition by a California state commission that Penal Code section 278.7 is an integral component of the statutory framework governing child abduction matters. My concern is that despite repeatedly raising this statutory provision, and despite the extensive documentary evidence available in my case, it was never meaningfully analyzed or addressed during the proceedings.

Due Process Concerns

In addition to concerns regarding Penal Code section 278.7, I respectfully request the Commission review whether the proceedings provided the fair and impartial process required under California law.

My concerns include whether:

1. Relevant statutory authority was meaningfully considered.
2. Material documentary evidence received appropriate judicial consideration.
3. Proceedings were conducted in a manner consistent with the California Code of Judicial Ethics.
4. My right to due process was adequately protected throughout both the criminal and related family court proceedings.

Request

As a result of the proceedings, I have now been separated from my son for nearly two years. I recognize that the Commission does not review the merits of custody determinations. I include this fact only to illustrate the profound and continuing consequences of proceedings in which I believe applicable law and relevant evidence were not meaningfully considered." I recognize that the Commission is not an appellate court and does not review legal error alone. My request is that the Commission evaluate whether the conduct of the judicial proceedings complied with the ethical obligations requiring judges to perform their duties competently, diligently, impartially, and in accordance with the law. I appreciate the Commission's time and consideration of this complaint and respectfully request that the accompanying documentation be reviewed as part of its evaluation. Thank you for your consideration.

Regards,

Genevieve Esquivel

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On August 14, 2026, I served the:

- **Current Mailing List dated July 29, 2026**
- **Interested Person's Comments on the Proposed Decision filed August 14, 2026**
- **Interested Person's Comments on the Proposed Decision filed August 13, 2026**

Child Abduction and Recovery, 25-4237-I-05

Family Code Sections 3060-3064, 3130-3134.5, 3408, 3411, and 3421; Penal Code Sections 277, 278, and 278.5; Welfare and Institutions Code Section 11478.5; Statutes 1976, Chapter 1399; Statutes 1992, Chapter 162; Statutes 1996, Chapter 988 Fiscal Years: 2017-2018, 2018-2019, 2019-2020, 2020-2021
County of Los Angeles, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 14, 2026 at Sacramento, California.



Jill Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 7/29/26

Claim Number: 25-4237-I-05

Matter: Child Abduction and Recovery

Claimant: County of Los Angeles

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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