

Rule 607

COMPLAINTS RELATING TO JUDICIAL CONDUCT

- (a) **Form of a Complaint.** A complaint must be in writing, contain the complainant's name and address, and be signed by the complainant. A complaint must be submitted on a form provided by the Commission, and each complaint must be against only one judge.
- (b) **Other Complaints.** The Commission may consider referrals from the Office of Judicial Administration and the Office of the Disciplinary Administrator. The Commission may consider matters of judicial misconduct on its own motion or on the motion of one of its members.
- (c) **Complaint Number.** The Secretary will assign each complaint a number used to identify the complaint at all steps in the Commission process.
- (d) **Initial Review.** The Secretary will acknowledge in writing the receipt of a complaint to the complainant. The Secretary will make an initial review of the complaint. The Secretary is authorized to return the complaint if it is illegible or does not conform to the requirements of subsection (a). If the complaint fails to state a violation of the Code of Judicial Conduct or does not state a matter within the Commission's jurisdiction, the Secretary will notify the complainant. The Secretary's decision will be reviewed by the next sitting Inquiry Panel. If the Inquiry Panel disagrees with the Secretary's decision, the complaint will be considered. If the Inquiry Panel agrees with the Secretary's decision, the complaint is considered closed.
- (e) **Assignment to an Inquiry Panel.**
 - (1) Any complaint not resolved by the initial review process in subsection (d) will be assigned to an Inquiry Panel.
 - (2) The complaint will be distributed to the Inquiry Panel for consideration at its next monthly meeting. Supporting documents and additional materials may also be distributed to the Inquiry Panel. All supporting documents submitted by a complainant will be available for review by Inquiry Panel members.
- (f) **Request for Additional Information.** The Secretary may request or assemble additional documents or information for the Inquiry Panel. The Secretary may obtain case specific documents or records, ask a judge for information, or ask the complainant to provide additional information.
- (g) **Sufficiency of a Complaint.**
 - (1) An Inquiry Panel will determine whether the complaint states sufficient credible facts that cause a reasonable person to

believe that a violation of the Code of Judicial Conduct may have been committed.

- (2) Statements of opinion, speculative assertions, and conclusory allegations do not constitute facts and are not sufficient to warrant further investigation or a finding that there is reason to believe a violation of the Code of Judicial Conduct has occurred.
 - (3) A complaint or objection related to a judge's rulings on legal issues or matters involving a judge's discretion are ordinarily insufficient. Such matters are subject to review and correction on appeal and do not constitute a violation of the Code of Judicial Conduct.
- (h) **Notice of Disposition.** Upon disposition of a complaint by either a finding of violation or no violation, the complainant will be notified of the Inquiry Panel's action. If there is a finding of a violation, the judge or other interested persons will be notified. If there is a finding of no violation, the judge or other interested persons may be notified within the Inquiry Panel's discretion.

[**History:** New rule adopted effective May 1, 2019.]