

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

August 27, 2013

FRANK H. EASTERBROOK
Chief Judge

No. 07-13-90060

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is the plaintiff in a pending civil case. She sought to take the deposition of a non-party, apparently for use in an administrative matter pending before a different body. A magistrate judge denied complainant's motion. She contends that this decision is "a disgrace to the integrity of the Federal Courts and the behavior expected of Judges."

Any complaint that is "directly related to the merits of a decision or procedural ruling" must be dismissed. 28 U.S.C. §352(b)(1)(A)(ii). See also Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." Standard 2 for Assessing Compliance with the Act, *Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice* 145 (2006). The allegations of this complaint fit that description. If the judge erred, the subject can be raised on appeal from the final decision. Section 352(b)(1)(A)(ii) cannot be evaded by insulting the judge. Disagreements in the legal system are common and are best addressed by respectful argument at the proper time in the proper forum.