

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

April 6, 2010

FRANK H. EASTERBROOK
Chief Judge

No. 07-10-90020

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is a frequent litigant in federal court. Her suits are so numerous, and so often frivolous, that the court of appeals in 2006 entered an order providing that she is no longer allowed to litigate *in forma pauperis* in any court within the circuit. This has not stopped complainant from filing suits, however, and the district court has concluded that her activities and tone of voice in and near its clerk's office have disrupted the office's operations. After complainant refused to obey an instruction to leave the clerk's office earlier this year, and behaved in a manner that caused some employees to fear for their safety, the Executive Committee of the district court entered an order providing that complainant must be accompanied at all times by a representative of the Marshal Service while in the courthouse. Complainant accuses the district court's chief judge of misconduct for entering this order on behalf of the Executive Committee.

The entry of such an order is not misconduct, so this complaint is dismissed. A court is entitled to take reasonable steps to protect the staff and permit them to focus on their work. Complainant asserts that she is no threat and attaches a letter from her psychiatrist that, translated to lay language, concludes that, although complainant sometimes becomes obstreperous, she is all bark and no bite. I have no reason to doubt that evaluation, but a loud and (apparently) threatening person still distracts judicial employees and interferes with their accomplishment of essential tasks. Complainant's behavior is not new; a suit that she filed in 2006 arose from her decision to barge into a hospital and attempt to render medical services, refusing to leave despite repeated instructions. (The hospital had revoked complainant's medical privileges after concluding that she had become mentally unstable.) A district court is entitled to protect itself, and its staff, against obstreperous behavior even if complainant is not dangerous.

And if this is wrong, and complainant is neither dangerous nor even a distraction, still it is not misconduct to err on the side of caution. The Executive Committee's order does not inhibit complainant's ability to file and pursue litigation.