

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

August 11, 2011

FRANK H. EASTERBROOK
Chief Judge

Nos. 07-11-90042 to -90049

IN RE COMPLAINT AGAINST EIGHT JUDICIAL OFFICERS

MEMORANDUM

Complainant filed for bankruptcy while she had an unresolved employment-discrimination claim. The trustee in bankruptcy took over that claim, which was an asset of the estate, and settled it for an amount that complainant deems inadequate. Ever since, complainant has been trying to obtain additional relief on that claim (and related claims against persons who participated in the earlier rounds of litigation) without any obligation to use the proceeds to repay her creditors. Eight federal judges—the bankruptcy judge, four district judges to whom complainant presented sequential suits, and three appellate judges—have thwarted her efforts to do this. The court of appeals’ opinion narrates the events through early 2010. She contends that all eight judges have committed misconduct by deciding adversely to her position and must be biased.

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. Claims of judicial error must be presented through the appellate process and, if appropriate, to the Supreme Court; the Judicial Council is an administrative rather than a judicial forum.

Complainant does not present any evidence of judicial bias other than the adverse decisions. Yet every suit produces at least one loser. A litigant's belief that she should have won, and that the adversary should have lost, does not suggest bias or any other form of misconduct. See *Liteky v. United States*, 510 U.S. 540 (1994).