

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street  
Chicago, Illinois 60604

August 24, 2011

FRANK H. EASTERBROOK  
Chief Judge

No. 07-11-90053

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant was a creditor of a debtor in bankruptcy. He has furnished me with a copy of a letter he recently sent to the bankruptcy judge. A complaint form under the Judicial Conduct and Disability Act of 1980 adds nothing beyond this statement: "Please note that I am seeking resolution of the matter, not sanctions against [the subject judge]. Thank you."

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. The Judicial Council is an administrative rather than a judicial body. If complainant is dissatisfied with a decision by the bankruptcy court, he should seek reconsideration or file an appeal to the district judge. A complaint under the 1980 Act is not a proper means to "seek[] resolution of the matter".