

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

October 31, 2012

FRANK H. EASTERBROOK
Chief Judge

No. 07-12-90080

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, a creditor who opposed the discharge of a debtor in bankruptcy, contends that the bankruptcy judge committed misconduct when he declined to hold that the debtor had commenced the proceeding in bad faith.

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 bankruptcy judge erred, the remedy is by appeal rather than a proceeding under the 1980 Act.