

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street
Chicago, Illinois 60604

May 2, 2013

FRANK H. EASTERBROOK
Chief Judge

No. 07-13-90033

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant was the plaintiff in a civil suit. The district judge granted summary judgment for the defendant. Complainant asserts that this decision constitutes misconduct.

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 way to obtain review of an adverse decision is by appeal, not by a charge of judicial misconduct. Complainant did appeal, but the court of appeals dismissed the appeal after complainant failed to file an opening brief. The 1980 Act does not afford an alternative means of obtaining review.

One sentence in the complaint implies that complainant does not know why the district judge ruled against her. But the judge wrote an opinion, which gives reasons. The 1980 Act does not require judges to provide supplemental statements of reasons.