

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street
Chicago, Illinois 60604

February 6, 2007

FRANK H. EASTERBROOK
Chief Judge

No. 07-7-352-3

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

The complaint alleges that a judge has acted inefficiently by failing to issue “complete decisions” in pending litigation in which the complainant is the plaintiff—and, the complaint insinuates, in other litigation as well.

The complaint specifically names a circuit judge, but the body of the complaint concerns the handling of this litigation in the district court. It is unnecessary and inappropriate to suggest that the complainant name that district judge as the person complained of, for the complaint must be dismissed summarily no matter whose decision-writing practices are involved. How little (or how much) a judge writes in explanation in a particular ruling is “directly related to the merits of a decision or procedural ruling” and therefore outside the scope of the Judicial Conduct and Disability Act of 1980. 28 U.S.C. §352(b)(1)(A)(ii). It is unimportant that the amount of detail offered in explanation for a decision differs from the substance of that decision. “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).