

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

June 20, 2008

FRANK H. EASTERBROOK
Chief Judge

No. 07-08-90050

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, a state prisoner, contends that the district judge assigned to two of his civil suits did not make sufficient allowance for his lack of legal skills. In the complaint's words, "[t]his said judge should of understand that inmates. Are not knowledge in the proceeding of any kind of legal Jargon of Law. That All motion or petition should of or been less scrutinize."

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 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. Whether to bend over backward to accommodate a *pro se* litigant, and if so which rules to relax, is a judicial decision that is amenable to review on appeal but not to review by the Judicial Council, which is an administrative body.

This is the third proceeding that complainant has initiated in the last month. He also filed complaints against two appellate judges who denied his motion for leave to proceed in forma pauperis in one of the cases that the subject district judge dismissed. My dispositions of those earlier complaints informed complainant about the requirements of 28 U.S.C. §352(b)(1)(A)(ii). His current complaint does not attempt to show how it can be reconciled with that statute. Complainant must understand that future grievances under the 1980 Act will be summarily dismissed—and the Council may be obliged to take steps to curtail multiple frivolous filings—unless he makes a serious effort to show how his grievance is within the 1980 Act's scope.