

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

February 7, 2013

FRANK H. EASTERBROOK  
Chief Judge

No. 07-13-90008

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, the plaintiff in a pending civil suit, contends that the district judge needs to enter orders verifying that each document complainant has submitted is part of the record. Otherwise, complainant contends, he cannot be sure that the clerk of court has performed his ministerial duties.

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 absence of a requested ruling, no less than the presence of one, is covered by the statute. See Rule 3(h)(3)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

I add for complainant’s information that a district judge is not required to enter an order every time a litigant files or submits a document. Clerical work can be delegated to the court’s staff.

The 1980 Act does not authorize the Judicial Council to supervise the management of ongoing litigation. If, after the case is over in the district court, complainant believes that an error by the judge has affected him adversely, he should file an appeal.