

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

March 25, 2016

CHIEF JUDGE DIANE P. WOOD

No. 07-16-90023

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is an attorney who has a dispute with a health-care organization. The dispute relates to his bill for certain medical treatment; in the course of that dispute, he has filed complaints with state and federal officials and with the Board of Trustees of one of the state's universities. In the course of researching these complaints, he discovered that the subject judge sits on the Board of Directors of the health-care organization with which he has his dispute. He is also representing a client who has a billing dispute with the health-care organization.

Complainant asserted that the subject judge receives compensation for his/her service on the Board of Directors of the health-care organization, and based on that assumption, he believes that the judge has a conflict of interest because cases involving the organization may arise in the judge's court. I undertook a limited inquiry into this matter, as authorized by 28 U.S.C. § 352(a) and Rule 11(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, and asked the subject judge to file a written response to the complaint.

The judge has furnished the response I requested and has attached a statement from the health-care organization confirming that the judge does not receive any compensation for any form of service on the Board. The judge also points out that the health-care organization is independent of the State and the state university. Finally, the judge confirms that he/she has always recused from consideration of any judicial matter relating to those entities that might be assigned to the judge's docket.

My limited inquiry reveals that the allegations of improper compensation and conflict of interest are conclusively refuted by objective evidence. See 28 U.S.C. § 352(b)(1)(B); see also Rule 11(c)(1)(D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, which requires the dismissal of a complaint that "is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred" I therefore dismiss this complaint.