

MINNESOTA BOARD ON JUDICIAL STANDARDS



1270 Northland Drive
Suite 160
Mendota Heights, MN 55120
651-296-3999
www.bjs.state.mn.us

It is the policy of the Minnesota Board on Judicial Standards to comply with the provisions of the Americans with Disabilities Act and to ensure that individuals with disabilities have equal access to our services.

If you have a disability and need accommodation, or if you are not proficient in English, please contact the Board office at (651) 296-3999, by TDD at 1 (800) 627-3529, or in writing.

WHAT IS THE BOARD ON JUDICIAL STANDARDS?

The Board on Judicial Standards is an independent State agency. The Board receives and acts on complaints about Minnesota judges and judicial officers. More information is available on the Board's website, www.bjs.state.mn.us.

HOW DO I FILE A COMPLAINT?

Anyone may file a complaint. Your complaint must be in writing. Simply write a letter describing the judge's conduct. Address the letter to:

Board on Judicial Standards
1270 Northland Drive
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Be sure to include the name of the judge, relevant dates, and names of witnesses. If the complaint concerns a court case, include the file number. You may wish to provide copies (not originals) of court documents or transcripts if these support your allegations against the judge.

If you have questions about how to file a complaint, call the Board's office at (651) 296-3999. However, complaints must be submitted in writing, not over the phone or in person, unless you need special accommodation due to a disability. Please do not appear at the Board office unless you have made an appointment.

WHAT CAN THE BOARD INVESTIGATE?

The Board investigates judges' conduct, not their decisions. For examples, see page 5.

In most cases, the Board cannot take action on complaints about a judge's decisions or exercise of discretion. The Board does not have the authority to review a case for judicial error or mistake or to direct a judge to take legal action. These functions are for the State's appellate courts. You may file a complaint concerning a judge's decisions or rulings if an appellate court finds that the judge acted improperly.

If you need advice or assistance regarding what to do next about your case, you should talk to a lawyer. If you seek to change the outcome of the case, discuss this with a lawyer right away.

The Board does not have jurisdiction over lawyers, federal judges, or administrative law judges (ALJs) other than the chief ALJ. Complaints against lawyers should be directed to the Office of Lawyers Professional Responsibility, (651) 296-3952, lprb.mncourts.gov. Complaints against federal judges should be directed to the Eighth Circuit Court of Appeals, www.ca8.uscourts.gov/judicial-complaints. Complaints against ALJs should be directed to the Office of Administrative Hearings, (651) 361-7875.

**ARE COMPLAINTS
CONFIDENTIAL?**

If the Board decides to investigate a complaint, the Board usually sends a copy of the complaint to the judge and asks for a response. If the Board decides not to investigate a complaint, the judge is usually not notified of the complaint or the decision.

A judge may not retaliate against a person for filing a complaint with the Board. A person may not be sued for filing a complaint with the Board.

**HOW WILL THE
BOARD HANDLE
MY COMPLAINT?**

Your complaint is carefully reviewed by the Board's legal staff. If the complaint is within the Board's jurisdiction, the complaint is then considered by the Board. The Board may dismiss the complaint or initiate an investigation.

If an investigation shows that a judge has committed misconduct, the Board may issue a letter of caution, a private admonition, or a public reprimand. In more serious cases, after a public hearing and recommendation from the Board, the Supreme Court may impose public censure, suspension, removal, or involuntary retirement. A list of judges who have been publicly disciplined is available at www.bjs.state.mn.us under "Discipline."

**ABOUT THE
BOARD**

The Board has ten members: one judge of the Court of Appeals, three trial court judges, two lawyers, and four public members. The Board members are appointed by the Governor. The appointment of lawyers and public members must be confirmed by the Senate. Members serve four-year terms and may be reappointed for an additional four years.

The Board is supported by a three-person staff. The staff reviews and investigates complaints and maintains the Board's records.

The Board handles complaints against judges and judicial disability matters. The Board also issues advisory opinions when requested by judges.

The vast majority of Minnesota judges are honest, conscientious, and courteous to those appearing before them. However, an effective method of imposing sanctions on judges who engage in misconduct is essential to the functioning of our judicial system. The Board strives to maintain public confidence in the judiciary and to promote greater awareness of proper judicial behavior. Board proceedings provide a fair and appropriate mechanism to preserve the integrity of the judicial process.

EXAMPLES OF JUDICIAL MISCONDUCT THAT MAY LEAD TO DISCIPLINE:

IMPROPER COURTROOM DECORUM

- Rude or abusive treatment of parties, counsel, witnesses, jurors, and others
- Improper conduct while on the bench, such as sleeping or intoxication
- Expressions of bias based on gender, ethnicity, etc.

IMPROPER INFLUENCE

- Allowing family, social, or political relationships to influence judicial decision-making
- Conflicts of interest
- Receiving gifts, bribes, loans, or favors from parties

OTHER IMPROPER OR ILLEGAL ACTIVITIES, INCLUDING OFF-BENCH CONDUCT

- Communicating improperly with only one side to a proceeding
- Chemical abuse
- Improper election campaign activities
- Criminal behavior
- Misuse of judicial position in personal activities
- Ticket-fixing

FREQUENTLY ASKED QUESTIONS

1. Will filing a complaint with the Board change the decision in my case?

No. Board proceedings have no effect on court decisions.
2. Will filing a complaint disqualify the judge from further involvement in my case?

No. A judge will not be removed from a case simply because a complaint was filed with the Board.
3. Does the Board investigate all complaints?

No. A complaint will be dismissed if it is not within the Board's jurisdiction or if the Board decides there is not good cause to investigate it.
4. If my complaint is justified, will the Board tell me how the judge was disciplined?

Yes. At the close of the case, you will receive a letter describing the action taken.