



JUDICIAL DISCIPLINE



NCSC

National Center for State Courts

Center for Judicial Ethics

117 PUBLIC SANCTIONS IN 2021



- 2 judges were removed
- 1 judge involuntarily removed
- 35 judges agreed to permanently resign or retire
 - 7 agreed to additional sanctions



117 PUBLIC SANCTIONS IN 2021



- 20 suspensions without pay
- 51 censures, reprimands, admonishments, or warnings
- 8 miscellaneous



MAINTAIN AND RESTORE PUBLIC CONFIDENCE IN JUDICIARY

- By ensuring high ethical standards
- By deterring future misconduct
- By requiring remedial measures
- By removing judges when necessary
- By reassuring public judiciary does not tolerate judicial misconduct



FUNCTIONS & STRUCTURE

Investigation
and
prosecution

Hearing and
adjudication

Review

FUNCTIONS & STRUCTURE

Investigation, prosecution,
hearing, adjudication

Supreme
Court



Model Rules for Judicial Disciplinary Enforcement

Commission

4 judges, 4 attorneys, and 4 public members

Investigation panel

1 judge
1 attorney
1 public member

Hearing panel

3 judges
3 attorneys
3 public members

Supreme court

SCREENING BY DISCIPLINARY COUNSEL

Model Rules for Judicial Disciplinary Enforcement

- Disciplinary counsel dismisses complaint
 - With review by investigation panel
- Investigation panel authorizes preliminary investigation

PRELIMINARY INVESTIGATION

Model Rules for Judicial
Disciplinary Enforcement

Investigation panel

- Dismisses complaint
- Authorizes full investigation

FULL INVESTIGATION

Model Rules for Judicial
Disciplinary Enforcement

Investigation panel

- Dismisses complaint
- With judge's consent
 - Private admonition
 - Deferred discipline agreement
- Authorizes formal charges

Confidentiality
ceases

FORMAL CHARGES

Model Rules for Judicial
Disciplinary Enforcement

Hearing panel

- Discipline by consent
 - Approved by supreme court
- Holds public hearing

PUBLIC HEARING

Model Rules for Judicial
Disciplinary Enforcement

Hearing panel

- Report and recommendation
 - Dismissal
 - Sanction
- Reviewed by supreme court

2-PANEL

- Investigative panel and hearing panel with rotating membership from same pool of members
- Arizona, Arkansas, Florida, Kansas, North Carolina, South Carolina, Tennessee, Vermont, and Wyoming
- None identical to ABA Model

FLORIDA JUDICIAL QUALIFICATIONS COMMISSION



15 members

6 judges, 4 attorneys, and 5 public members

Investigation panel

4 judges

2 attorneys

3 public members

Hearing panel

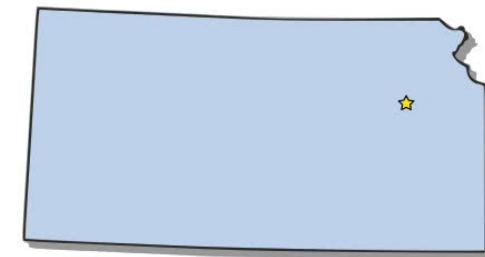
2 judges

2 attorneys

2 public members

Supreme court

KANSAS COMMISSION ON JUDICIAL CONDUCT



14 members

6 judges, 4 attorneys, and 4 public members

Panel A

3 judges
2 attorneys
2 public members

Panel B

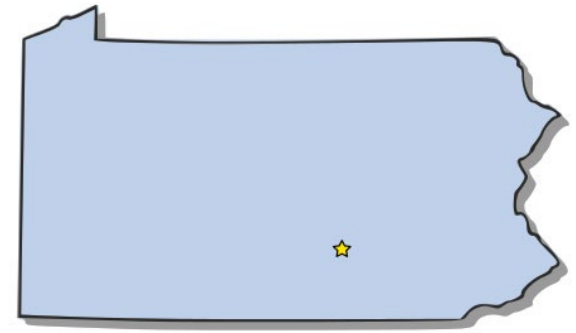
3 judges
2 attorneys
2 public members

Supreme court

2-TIER

- Investigative agency and hearing body with separate membership
- Alabama, Delaware, Georgia, Illinois, Ohio, Oklahoma, Pennsylvania, and West Virginia

PENNSYLVANIA



Judicial Conduct Board

3 judges

3 attorneys

6 public members

Court of Judicial Discipline

4 judges

2 attorneys

2 public members

Supreme court

ILLINOIS



Judicial Inquiry Board

2 judges

3 attorneys

4 public members

Courts Commission

5 judges

2 public members

OTHER FACT FINDERS

- 1 or 3 special masters
 - Report to the commission
 - Report to the Court
- Commission subpanel
- Entire commission



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STATE OF CALIFORNIA
**COMMISSION ON
JUDICIAL PERFORMANCE**



Members & Meetings



Organization & Budget



Publications



Certifications



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Committee to Review the Operations and Structure of the Commission on Judicial Performance

In 2021, Assembly Bill 143 added Article 4 to Chapter 2.5 of Title 8 of the Government Code to create a committee to study and make recommendations for possible changes in the operations and structure of the commission, and added the following new code sections. Government Code section 68770 created in state government the Committee to Review the Operations and Structure of the Commission on Judicial Performance, and section 68771 sets forth the membership of the committee. Government Code section 68772 requires the committee to hold at least two hearings to accept comments from the public about possible changes in the operations and structure of the commission, and to complete its study and provide a written report about its findings and recommendations no later than March 30, 2023, to the Governor, the commission, and the California Supreme Court, among other entities, and to make the report public.



Court Community

Criminal

Human Resources

Judicial Officers

Technology

www.ncsc.org/ethics

The Center for Judicial Ethics

The Center for Judicial Ethics is a clearinghouse for information about judicial ethics and discipline.

The CJE provides research support for the conduct commissions that investigate complaints of judicial misconduct, publishes educational materials for judges, and tracks opinions issued by ethics advisory committees. The CJE publishes the [Judicial Conduct Reporter](#) and other resources on judicial ethics, including a [blog](#) with new posts every Tuesday and Throwback Thursdays. Each year, the CJE



RESOURCE GUIDE

STATE LINKS



BLOG

[Judicial Ethics and Discipline](#)

is updated every Tuesday.

