

**Table 5.8**  
**JUDICIAL DISCIPLINE: INVESTIGATING AND ADJUDICATING BODIES**

<i>State or other jurisdiction</i>	<i>Investigating body</i>	<i>Adjudicating body</i>	<i>Appeals from adjudication are filed with:</i>	<i>Final disciplining body</i>	<i>Point at which reprimands are made public</i>
<b>Alabama</b> .....	Judicial Inquiry Committee	Court of the Judiciary	Court of Last Resort	Court of the Judiciary	Filing of the complaint with the Court of the Judiciary
<b>Alaska</b> .....	Committee on Judicial Conduct	Supreme Court	Court of Last Resort	Supreme Court	Filing of recommendation with Supreme Court
<b>Arizona</b> .....	Commission on Judicial Conduct	Commission on Judicial Conduct	Court of Last Resort	Supreme Court	Within 15 days of formal charges being brought, unless a motion for reconsideration is filed
<b>Arkansas</b> .....	Judicial Discipline and Disability Committees	Commission	Court of Last Resort	Supreme Court	At disposition of case
<b>California</b> .....	Commission on Judicial Performance	Commission on Judicial Performance	Court of Last Resort	Commission on Judicial Performance	Upon commission determination (a)
<b>Colorado</b> .....	Commission on Judicial Discipline	Commission on Judicial Discipline	No appeal	Supreme Court	Adjudication
<b>Connecticut</b> .....	Judicial Review Council	Judicial Review Council; Supreme Court	Court of Last Resort	Supreme Court	Public censure is issued at between 10 and 30 days after notice to the judge, provided that if the judge appeals, there is an automatic stay of disclosure.
<b>Delaware</b> .....	Preliminary Committee of the Court on the Judiciary	Court on the Judiciary	No appeal	Court on the Judiciary	Upon issuance of opinion and imposition of sanction
<b>Florida</b> .....	Investigatory Committee of the Court on the Judiciary	Judicial Qualifications Commission (b)	No appeal	Supreme Court (c)	Filing of formal charges by Committee with Supreme Court Clerk
<b>Georgia</b> .....	Judicial Qualifications Commission	Supreme Court	No appeal	Supreme Court	Formal Hearing
<b>Hawaii</b> .....	Commission on Judicial Conduct	Commission on Judicial Conduct	No appeal	Supreme Court	Imposition of public discipline by Supreme Court
<b>Idaho</b> .....	Judicial Council	Supreme Court	Court of Last Resort	Supreme Court	Filing with Supreme Court
<b>Illinois</b> .....	Judicial Inquiry Board	Courts Commission	No appeal	Courts Commission	Filing of decision by Courts Commission
<b>Indiana</b> .....	Judicial Qualifications Committee	Supreme Court	No appeal	Supreme Court	Institution of Formal Proceedings
<b>Iowa</b> .....	Judicial Qualifications Commission	Judicial Qualifications Commission	Court of Last Resort	Supreme Court	Referral by the commission to the Supreme Court recommending formal sanction
<b>Kansas</b> .....	Commission on Judicial Qualifications	Supreme Court	Court of Last Resort	Supreme Court	Reprimand is published if approved by Supreme Court
<b>Kentucky</b> .....	Judicial Conduct Commission	Judicial Conduct Committee	Court of Last Resort	Judicial Conduct Commission	Once the judge has responded to the formal charges
<b>Louisiana</b> .....	Judiciary Commission	Supreme Court	No appeal	Supreme Court	The lodging of the record of proceedings, and a recommendation by the Judiciary Commission to the Supreme Court
<b>Maine</b> .....	Committee on Judicial Responsibility and Disability	Supreme Judicial Court	No appeal	Supreme Court	Filing of report to Supreme Judicial Court
<b>Maryland</b> .....	Commission on Judicial Disabilities	Commission on Judicial Disabilities	Court of Last Resort	Court of Appeals	Unless confidential upon filing of a response (or expiration of the time for filing a response) with the Commission

See footnotes at end of table.

**JUDICIAL DISCIPLINE: INVESTIGATING AND ADJUDICATING BODIES — Continued**

<i>State or other jurisdiction</i>	<i>Investigating body</i>	<i>Adjudicating body</i>	<i>Appeals from adjudication are filed with:</i>	<i>Final disciplining body</i>	<i>Point at which reprimands are made public</i>
<b>Massachusetts</b> .....	Commission on Judicial Conduct	Supreme Judicial Court	No appeal	Supreme Judicial Court	Supreme Judicial Court
<b>Michigan</b> .....	Judicial Tenure Commission	Supreme Court	Court of Last Resort	Supreme Court	Filing of formal complaint by commission with Supreme Court or upon filing in the Supreme Court a consent resolution to a matter
<b>Minnesota</b> .....	Board of Judicial Standards	Supreme Court	No appeal	Supreme Court	Filing of formal charges by committee with Supreme Court
<b>Mississippi</b> .....	Commission on Judicial Performance	Supreme Court	No appeal	Supreme Court	Recommendation of Commission to Supreme Court
<b>Missouri</b> .....	Commission on Retirement, Removal and Discipline	Commission on Retirement, Removal and Discipline	Court of Last Resort	Supreme Court	Filing of recommendation by Committee to Supreme Court
<b>Montana</b> .....	Judicial Standards Commission	Supreme Court	No appeal	Supreme Court	Filing of record by Committee with Supreme Court
<b>Nebraska</b> .....	Commission on Judicial Qualification	Supreme Court	No appeal	Supreme Court	Commission may issue a public reprimand
<b>Nevada</b> .....	Commission on Judicial Discipline	Commission on Judicial Discipline	Court of Last Resort	Commission on Judicial Discipline	Discretion of the Commission, upon filing of report by Committee and service upon judge
<b>New Hampshire</b> .....	Supreme Court Committee on Judicial Conduct	Supreme Court	No appeal	Supreme Court	On issuance of reprimand (d)
<b>New Jersey</b> .....	Advisory Committee on Judicial Conduct	Supreme Court	No appeal	Supreme Court	When reprimand is filed by Supreme Court
<b>New Mexico</b> .....	Judicial Standards Commission	Supreme Court	No appeal	Supreme Court	Upon recommendation of Commission to Supreme Court
<b>New York</b> .....	Commission on Judicial Conduct	Commission on Judicial Conduct	Court of Last Resort	Commission on Judicial Conduct and Court of Appeals	After a hearing at which a judge is admonished, censured, removed or retired, and after the judge is served
<b>North Carolina</b> .....	Judicial Standards Commission	Supreme Court	No appeal	Supreme Court	Upon recommendation of Commission to Supreme Court
<b>North Dakota</b> .....	Commission on Judicial Conduct	Supreme Court	No appeal	Supreme Court	At formal hearing
<b>Ohio</b> .....	Office of Disciplinary Counsel	Board of Commissioners on Grievance and Discipline	Court of Last Resort	Supreme Court	Adjudication
<b>Oklahoma</b> .....	Court on the Judiciary Trial Division Council	Court on the Judiciary Trial Division: Council on Judicial Complaints	Court on the Judiciary Division; no appeal from Council on Judicial Complaints	Court on the Judiciary Appellate Division	Filing with clerk of the Appellate Court
<b>Oregon</b> .....	Commission of Judicial Fitness and Disability (e)	Supreme Court	No appeal	Supreme Court	When the Supreme Court issues its decision (f)
<b>Pennsylvania</b> .....	Judicial Conduct Board	Court of Judicial Discipline	Court of Last Resort	Supreme Court	Once a final decision has been made
<b>Rhode Island</b> .....	Commission on Judicial Tenure and Discipline	Supreme Court	No appeal	Supreme Court	Unless private, after the commission files its recommendation with the Chief Justice
<b>South Carolina</b> .....	Commissioners on Judicial Conduct	Supreme Court	No appeal	Supreme Court	Adjudication
<b>South Dakota</b> .....	Judicial Qualifications Commission	Supreme Court	No appeal	Supreme Court	Filing with the Supreme Court

See footnotes at end of table.

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Tennessee.....	Court of the Judiciary	Court of the Judiciary	Court of Last Resort	General Assembly	Filing of complaint in Appellate Court Clerk's office
Texas.....	State Commission on Judicial Conduct	State Commission on Judicial Conduct	Court of Last Resort	Special Court of Review	When issued by the Commission
Utah.....	Judicial Conduct Commission	Judicial Conduct Commission	Court of Last Resort	Supreme Court	10 days after filing appeal
Vermont.....	Judicial Conduct Board	Supreme Court	Court of Last Resort	Supreme Court	Supreme Court
Virginia.....	Judicial Inquiry and Review Commission	Supreme Court	Court of Last Resort	Supreme Court	Filing of formal complaint by Committee with Supreme Court
Washington.....	Commission on Judicial Conduct	Commission on Judicial Conduct	Supreme Court	Supreme Court	At termination of proceeding in CJC
West Virginia.....	Judicial Investigation Committee	Judicial Hearing Board (JHB)	Court of Last Resort	Supreme Court of Appeals	Upon decision by Supreme Court of Appeals
Wisconsin.....	Judicial Commission	Supreme Court	No appeal	Supreme Court	Filing of formal complaint with Supreme Court
Wyoming.....	Commission on Judicial Conduct and Ethics	Supreme Court	No appeal	Supreme Court or Special Supreme Court	Upon the recommendation of the Conduct and Ethics Commission and Order of the Supreme Court
Dist. of Columbia.....	Commission on Judicial Disabilities and Tenure	Commission on Judicial Disabilities and Tenure	Federal judge panel; 3 appointments by Chief Justice of Supreme Court	Commission on Judicial Disabilities and Tenure	Filing of order with D.C. Court of Appeals (g)
Puerto Rico.....	Judicial Discipline Commission	Supreme Court	No appeal	Supreme Court	Filing of formal complaint to the Discipline Commission

Source: S. Strickland, R. Schaufier, R. LaFountain, and K. Holt, eds. *State Court Organization*. National Center for State Courts. April 2014. [www.ncsc.org/sco](http://www.ncsc.org/sco).

Key:

N.A. — Not applicable

(a) In cases involving more serious misconduct, the commission may issue a public admonishment or public censure. The nature and impact of the misconduct generally determine the level of discipline. Both public admonishments and public censures are notices sent to the judge describing the improper conduct and stating the findings made by the commission. These notices are also made available to the press and the general public.

(b) The Judicial Qualifications Commission investigates and makes recommendations to the Supreme Court for discipline or removal.

(c) The Supreme Court power of removal is alternative and cumulative to the power of impeachment and suspension by the governor and Senate.

(d) The Supreme Court Committee on Judicial Conduct may admonish, reprimand or order conditions, and the Supreme Court may impose formal discipline.

(e) Technically, the Commission of Judicial Fitness and Disability does not adjudicate disciplinary matters. It hears the evidence and makes recommendations to the Supreme Court, which must review the records, or any stipulation for discipline and can hear additional evidence. Technically, then, there is no appeal. The Supreme Court orders any discipline, including any stipulated sanction.

(f) In Oregon, the allegations become public when the Commission issues a notice of public hearing, generally 14 days in advance of the hearing (although it can be less in the public interest). The actual complaint is not made public then, but the notice includes the general nature of the allegations. In a disciplinary case (but not a disability case), the Commission hearing, the evidence received there, and the Commission's decisions and recommendations are public. The Supreme Court decision is public when the Court files its opinion. There is no reprimand or other sanction until the Supreme Court decision.

(g) This only applies in cases of removal or involuntary retirement wherein the chief justice appoints a three-member federal judge panel to review commission's order of removal.