



---

# State Court Organization 2004

**David B. Rottman, Project Director**  
**Shauna M. Strickland, Research Analyst**

*A joint effort of the Conference of State Court Administrators  
and National Center for State Courts*

This project was supported by BJS grant number 2003-BJ-CX-K003.  
The opinions, findings, and conclusions or recommendations expressed  
in this publication are those of the authors and do not necessarily reflect  
the views of the Department of Justice.

**August 2006, NCJ 212351**

---

## U.S. Department of Justice

Office of Justice Programs  
Bureau of Justice Statistics

Jeffrey L. Sedgwick  
Director, BJS

This Bureau of Justice Statistics report was prepared by the National Center for State Courts under the Supervision of Steven K. Smith and Thomas Cohen of the Bureau of Justice Statistics. The project was supported by BJS grant number 2003-BJ-CX-K003. Principle staff for the project at the National Center for State Courts were David B. Rottman and Shauna M. Strickland. Marianne Zawitz, Carolyn C. Williams, and Thomas Cohen provided editorial review. Jayne Robinson administered final printing production.

This report was made possible by the support and guidance of the Court Statistics Committee of the Conference of State Court Administrators.

**Suggested Citation:**

David B. Rottman and Shauna M. Strickland, *State Court Organization, 2004*, U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C. USGPO, 2006.

Please bring suggestions for information that should be included in future editions to the attention of the Director of the Court Statistics Project, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23185-4147

An electronic version of this report may be found on the Internet at <http://www.ojp.usdoj.gov/bjs/>.

**Table 11. Judicial Discipline: Investigating and Adjudicating Bodies**

Legend: ~ = Not applicable

	Investigating body Name	Number of:			Adjudicating body	Appeals from adjudication are filed with:	Final disciplining body	Point at which reprimands are made public
		Judges	Lawyers	Lay persons				
Alabama	Judicial Inquiry Committee	3	2	2	Court of the Judiciary	Supreme Court	Court of the Judiciary	Filing of the complaint with the Court of the Judiciary
Alaska	Committee on Judicial Conduct	3	3	3	Supreme Court	~	Supreme Court	Filing of recommendation with Supreme Court
Arizona	Commission on Judicial Conduct	6	2	3	Commission on Judicial Conduct	Discretionary with Supreme Court	Supreme Court	Commission on Judicial Conduct determines if there is probable cause to bring formal charges.
Arkansas	Judicial Discipline and Disability Committees	3	3	3	Commission	Supreme Court	Supreme Court	At disposition of case
California	Commission on Judicial Performance	3	2	6	Commission on Judicial Performance	Supreme Court has discretionary review	Commission on Judicial Performance	Upon commission determination <sup>1</sup>
Colorado	Committee on Judicial Discipline	4	2	4	Commission on Judicial Discipline	No appeal	Supreme Court	Adjudication
Connecticut	Judicial Review Council	3	3	6	Judicial Review Council; Supreme Court	Supreme Court	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.
	Council on Probate Judicial Conduct	1	1	2	Council on Probate Judicial Conduct	Supreme Court	Supreme Court	
Delaware	Preliminary Committee of the Court on the Judiciary	0	4	2	Court on the Judiciary	No appeal	Court on the Judiciary	Upon issuance of opinion and imposition of sanction
	Investigatory Committee of the Court on the Judiciary	7	0	0				
District of Columbia	Commission on Judicial Disabilities and Tenure	1	4	2	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 <sup>2</sup>
Florida	Judicial Qualifications Commission	6 <sup>3</sup>	4	5	Judicial Qualifications Commission <sup>4</sup>	No appeal	Supreme Court <sup>5</sup>	Filing of formal charges by Committee with Supreme Court Clerk
Georgia	Judicial Qualifications Commission	2	3	2	Supreme Court	No appeal	Supreme Court	Formal Hearing
Hawaii	Commission on Judicial Conduct	0	3	4	Commission on Judicial Conduct	No appeal	Supreme Court	Imposition of public discipline by Supreme Court
Idaho	Judicial Council	2	2	3	Supreme Court	Supreme Court	Supreme Court	Filing with Supreme Court
Illinois	Judicial Inquiry Board	2	3	4	Courts Commission	No appeal	Courts Commission	Filing of complaint by Judicial Inquiry Board to Courts Commission
Indiana	Judicial Qualifications Committee	1	3	3	Supreme Court	~	Supreme Court	Institution of Formal Proceedings

**Table 11. Judicial Discipline: Investigating and Adjudicating Bodies**

Legend: ~ = Not applicable

	Name	Investigating body			Adjudicating body	Appeals from adjudication are filed with:	Final disciplining body	Point at which reprimands are made public
		Number of:						
		Judges	Lawyers	Lay persons				
Iowa	Judicial Qualifications Commission	1	2	4	Judicial Qualifications Commission	Supreme Court	Supreme Court	Application by the commission to the Supreme Court
Kansas	Commission on Judicial Qualifications	6	4	4	Supreme Court	Supreme Court	Supreme Court	Reprimand is published by Supreme Court if approved by Supreme Court.
Kentucky	Judicial Conduct Committee	3	1	2	Judicial Conduct Committee	Supreme Court	Judicial Conduct Committee	Application of judge under investigation
Louisiana	Judiciary Commission	3	3	3	Supreme Court	No appeal	Supreme Court	Filing of formal complaint by commission with Supreme Court
Maine	Committee on Judicial Responsibility and Disability	2	2	3	Supreme Judicial Court	No appeal	Supreme Judicial Court	Filing of report to Supreme Judicial Court
Maryland	Commission on Judicial Disabilities	3	3	5	Court of Appeals	~	Court of Appeals	Filing of record by Committee to Court of Appeals
Massachusetts	Commission on Judicial Conduct	3	3	3	Supreme Judicial Court	~	Supreme Judicial Court	After final of formal charges with the Supreme Judicial Court
Michigan	Judicial Tenure Commission	5	2	2	Supreme Court	Supreme Court	Supreme Court	Filing of formal complaint by commission with Supreme Court
Minnesota	Board of Judicial Standards	3	2	4	Supreme Court	No appeal	Supreme Court	Filing of formal charges by Committee with Supreme Court
Mississippi	Commission on Judicial Performance	4	1	2	Supreme Court	~	Supreme Court	Recommendation of Commission to Supreme Court
Missouri	Commission on Retirement, Removal and Discipline	2	2	2	Commission on Retirement, Removal and Discipline	Supreme Court	Supreme Court	Filing of recommendation by Committee to Supreme Court
Montana	Judicial Standards Commission	2	1	2	Supreme Court	No appeal	Supreme Court	Filing of record by Committee with Supreme Court
Nebraska	Commission on Judicial Qualification	4	3	3	Supreme Court	No appeal	Supreme Court	Commission may issue a public reprimand
Nevada	Commission on Judicial Discipline	2	2	3	Commission on Judicial Discipline	Supreme Court	Commission on Judicial Discipline	Upon filing of report by Committee and service upon judge
New Hampshire	Supreme Court Committee on Judicial Conduct	3 <sup>a</sup>	2	5		Supreme Court	Supreme Court	On issuance of reprimand <sup>7</sup>
New Jersey	Advisory Committee on Judicial Conduct	2 (retired)	3 (min)	4 (max)	Supreme Court	~	Supreme Court	Filing of formal complaint
New Mexico	Judicial Standards Commission	2 + one magistrate	2	6	Supreme Court	~	Supreme Court	Filing of record by Commission with Supreme Court

**Table 11. Judicial Discipline: Investigating and Adjudicating Bodies**

Legend: ~ = Not applicable

	Investigating body Name	Number of:			Adjudicating body	Appeals from adjudication are filed with:	Final disciplining body	Point at which reprimands are made public
		Judges	Lawyers	Lay persons				
New York	Commission on Judicial Conduct	4	1	2	Commission on Judicial Conduct	Court of Appeals	Commission on Judicial Conduct and Court of Appeals	Completion of service of record on respondent
North Carolina	Judicial Standards Commission	3	2	2	Supreme Court	No appeals	Supreme Court	Upon recommendation of Commission to Supreme Court
North Dakota	Commission on Judicial Conduct	2	1	4	Supreme Court	~	Supreme Court	At formal hearing
Ohio	Board of Commissioners on Grievance and Discipline <sup>8</sup>	7	17	4	Board of Commissioners on Grievance and Discipline	Supreme Court	Supreme Court	Adjudication
Oklahoma	Court on the Judiciary Trial Division Council	8	1	0	Court on the Judiciary Trial Division;	Court on the Judiciary Division;	Court on the Judiciary Appellate Division	Filing with clerk of the Appellate Court
	Council on Judicial Complaints	0	2	1	Council on Judicial Complaints	no appeal from Council on Judicial Complaints		
Oregon	Commission of Judicial Fitness and Disability <sup>9</sup>	3	3	3	Supreme Court	No appeal	Supreme Court	<sup>10</sup>
Pennsylvania	Judicial Conduct Board	3	3	6	Court of Judicial Discipline	Supreme Court	Supreme Court	Once a final decision has been made
Puerto Rico	Disciplinary and Removal from office for health reasons	~	5	1	Supreme Court	~	Supreme Court	Filing of formal complaint to the Discipline Commission
Rhode Island	Commission on Judicial Tenure and Discipline	4 (+3 from General Assembly)	3	3	Supreme Court	No appeals	Supreme Court	When Supreme Court affirms a recommendation for reprimand or removal
South Carolina	Commissioners on Judicial Conduct	14	3	2	Supreme Court	~	Supreme Court	Adjudication
South Dakota	Judicial Qualifications Commission	2	3	2	Supreme Court	No appeals	Supreme Court	Filing with the Supreme Court
Tennessee	Court of the Judiciary	9	3	2	Court of the Judiciary	Supreme Court, then General Assembly	Supreme Court or General Assembly	Filing of complaint in Appellate Court Clerk's office
Texas	State Commission on Judicial Conduct	5	2	4	Supreme Court, Commission on Judicial Conduct, or review tribunal consisting of Justices of Courts of Appeals	Supreme Court	Supreme Court, Commission on Judicial Conduct, or review tribunal consisting of Justices of the Courts of Appeals	Convening of formal hearing by the Commission on Judicial Conduct
Utah	Judicial Conduct Commission	2	2	3 <sup>11</sup>	Judicial Conduct Commission	Supreme Court	Supreme Court	10 days after filing appeal

**Table 11. Judicial Discipline: Investigating and Adjudicating Bodies**

Legend: ~ = Not applicable

	Name	Investigating body			Adjudicating body	Appeals from adjudication are filed with:	Final disciplining body	Point at which reprimands are made public
		Number of:						
		Judges	Lawyers	Lay persons				
<b>Vermont</b>	Judicial Conduct Board	2	2	3	Supreme Court	Supreme Court	Supreme Court	Filing of formal charges by Board with Supreme Court
<b>Virginia</b>	Judicial Inquiry and Review Commission	3	2	2	Supreme Court	Supreme Court	Supreme Court	Filing of formal complaint by Committee with Supreme Court
<b>Washington</b>	Commission on Judicial Conduct	3	2	6	Supreme Court	No appeal	Committee on Judicial Conduct or Supreme Court	Beginning of fact finding hearing by Committee
<b>West Virginia</b>	Judicial Investigation Committee and Judicial Hearing Board	3 + one magistrate	2	3	Judicial Hearing Board (JHB)	JHB recommends to SCA <sup>13</sup>	Supreme Court of Appeals <sup>12</sup>	Upon decision by Supreme Court of Appeals
<b>Wisconsin</b>	Judicial Commission	2	2	5	Supreme Court <sup>13</sup>	No appeal	Supreme Court	Filing of petitioner formal complaint by Judicial Commission w/Supreme Court
<b>Wyoming</b>	Commission on Judicial Conduct and Ethics	3	3	6	Supreme Court	~	Supreme Court	Filing with Supreme Court

**FOOTNOTES:**

**California:**

<sup>1</sup> 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.

**District of Columbia:**

<sup>2</sup> 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.

**Florida:**

<sup>3</sup> This figure is comprised of two judges of each of the District Courts of Appeal, Circuit, and County courts.

<sup>4</sup> The Judicial Qualifications Commission investigates and makes recommendations to the Supreme Court for discipline or removal.

<sup>5</sup> The Supreme Court power of removal is alternative and cumulative to the power of impeachment and suspension by the Governor and Senate.

**New Hampshire:**

<sup>6</sup> One Clerk of Court is also part of the investigating body.

<sup>7</sup> The Supreme Court Committee on Judicial Conduct may admonish, reprimand or order conditions, and the Supreme Court may impose formal discipline.

**Ohio:**

<sup>8</sup> Initial review is carried out by a panel of three commissioners.

**Oregon:**

<sup>9</sup> 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.

<sup>10</sup> 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.

**Utah:**

<sup>11</sup> In addition, four legislators are on the commission.

**West Virginia**

<sup>12</sup> The final disciplining body is the same for both the Commission and Judicial Hearing Board.

**Wisconsin:**

<sup>13</sup> The Judicial Conduct and Disability Panel, through an ad hoc three-judge panel (two must be Court of Appeals judges, one can be a retired, reserve judge or Court of Appeals judge appointed as a hearing examiner) makes a report to the Supreme Court.