

# *Judicial Conduct Commission*

## **Jurisdiction**

The Judicial Conduct Commission is the only entity authorized under the Kentucky Constitution (Section 121) to take disciplinary action against a sitting Kentucky judge. The judges of the Commonwealth of Kentucky include District Court, Circuit Court (General Jurisdiction and Family Court), the Court of Appeals and the Supreme Court. Additionally, the Commission has jurisdiction over Trial Commissioners, Master Commissioners, Domestic Relations Commissioners and attorneys running for judicial office.

Operating under rules established by the Supreme Court of Kentucky, the JCC reviews complaints and, when warranted, opens investigations and conducts hearings regarding alleged misconduct. Possible sanctions for misconduct range from confidential admonitions or reprimands, for minor technical violations, to removal from office for major violations.

## **Complaint Process**

Complaints must be submitted to the Judicial Conduct Commission in writing. Prior to completing and submitting your complaint to the Commission please thoroughly review the following important information.

- Under SCR 4.020, the Commission only has jurisdiction to consider complaints filed against sitting judges, justices and commissioners of the Kentucky Court system and against candidates running for judicial office.
- The Commission does not have jurisdiction to consider complaints filed against federal judges, administrative law judges, magistrates, mediators or county judge executives. The Commission's jurisdiction to consider complaints against attorneys is limited to the rules related to their candidacy for judicial office.
- Under SCR 4.020, the Commission does not have the authority to review a case for judicial error OR to direct a different result in the case. Complaints filed with the Commission do not substitute for an appeal of a judicial order.
- The Commission has no authority to remove a judge from a case, to assign a new judge to a case, or to order a change of venue.
- The filing of a complaint does not require a judge to automatically recuse from a case.
- All papers and information obtained by or on behalf of the Commission are confidential except as provided by SCR 4.130 or by order of the Supreme Court.

## **Complaint Submission**

The complaint form may be handwritten or typed, or it may be filled out online then printed. It can be mailed, faxed, or submitted by email with any supporting documentation.

Judicial Conduct Commission  
P.O. Box 4266  
Frankfort, KY 40604-4266  
[JudicialConductCommission@kycourts.net](mailto:JudicialConductCommission@kycourts.net)  
Phone: (502) 564-1231

## **Types of Judicial Misconduct**

*The following types of judicial misconduct may lead to disciplinary actions. This list is not all-inclusive.*

### **Improper Influence**

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

### **Improper Courtroom Decorum**

- Improper conduct while on the bench
- Expressions of bias based on race, gender or ethnicity
- Rude, abusive and otherwise improper treatment of parties, counsel, witnesses, jurors, court staff and others

### **Improper or Illegal Activities On or Off the Bench**

- Failing or refusing to dispose promptly of judicial business
- Abusing the contempt power
- Interfering with the attorney-client relationship
- Communicating improperly with only one side to a proceeding
- Commenting on or interfering with a pending or impending case
- Engaging in improper political campaign activities
- Misappropriating or misusing public property, funds or resources
- Violating rules relating to court administration
- Obstruction of justice, perjury or filing a false document
- Criminal conduct

The Code of Judicial Conduct establishes standards for the ethical conduct of judges and judicial candidates. The rules are found in Supreme Court Rule 4.300.

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## **Frequently Asked Questions**

### **Q: Who may file a complaint?**

A: Any individual with knowledge of possible judicial misconduct or wrongdoing may file a complaint.

### **Q: Will the judge be notified that I filed a complaint?**

A: All papers and information obtained by or on behalf of the Commission are confidential except as provided by SCR 4.130 or by order of the Kentucky Supreme Court. The rules governing the Commission require confidentiality during the investigation process. If the matter is sufficiently serious to warrant a hearing, the Commission provides the judge under review with the information compiled during the Commission's investigation, including the name of the complainant, if relevant.

### **Q: How long will my complaint take?**

A: Under SCR 4.170, the Commission has up to 180 days to conduct a preliminary investigation. That time may be extended for up to an additional 180 days for good cause. The matter may be resolved informally before the end of the initial 180-day period or any subsequent extension. If formal proceedings are initiated, the Commission has 180 days to conclude the matter. This time may also be extended for an additional 180 days for for good cause.

### **Q: What if I need something done immediately?**

A: There is no expedited complaint process. You should consult with your attorney regarding any emergency relief to which you believe you are entitled.

### **Q: What is the status of my complaint?**

A: Commission deliberations and investigations are confidential. A complainant is notified in writing upon receipt of the complaint and again when the matter is concluded.

### **Q: I am unhappy with the outcome of my case. Can the Commission help me?**

A: No. Under SCR 4.020, the Commission does not have the authority to review a case for good-faith judicial error or to direct a different result in the case. These functions are to be handled through the appeals process available through the state's appellate courts.