



Maryland Commission on Judicial Disabilities

WWW.MDCOURTS.GOV/CJD



Purpose of the Commission

Established by the Constitutional Amendment in 1966 to maintain public confidence in the integrity, independence, and impartiality of judges and the judicial system.

Structure of the Commission

Two-Tier System

Commission

- Created in 1966 by the Maryland Constitution
 - 11 Members
- Appointed by the Governor and confirmed by the State Senate
- 3 Judges, 3 Attorneys, 5 Public Members

Judicial Inquiry Board

- Created in 2007 by the Maryland Rules
 - 7 Members
- Appointed by the Supreme Court of Maryland
- 2 Judges, 2 Attorneys, 3 Public Members

Authority of the Commission

The Commission can ONLY address complaints involving a Maryland justice or judge's alleged sanctionable conduct, disability or impairment.

The Commission does **NOT** have appellate authority and cannot review, reverse, or modify a legal decision or other court action taken by a judge.

Commission has **NO** Authority to investigate complaints against:

- × Federal Judges
- × Lawyers
- × Police
- × Court Personnel
- × Administrative Law Judges
- × Magistrates



What is Sanctionable Conduct?

Defined in Maryland Rule 18-402(m), as a judge's:

- ✓ **Misconduct while in office**
- ✓ **Persistent failure to perform the duties of a judge**
- ✓ **Conduct prejudicial to the proper administration of justice**
- ✓ **Any violation of the binding obligations of the Maryland Code of Judicial Conduct (Maryland Rules 18-100.1 to 18-104.6)**

What is Disability vs. Impairment?

“Disability” defined in Maryland Rule 18-402(i):

a mental or physical disability that seriously interferes with the performance of a judge’s duties and is, or is likely to become, permanent.

“Impairment” defined in Maryland Rule 18-402(j):

a mental or physical condition, including addiction, that has seriously interfered with the performance of a judge’s duties but may be remediable and, if remedied, is not likely to become permanent.

Filing a Complaint

(file online or mail)

Please include the following information:

- ☐ Full Name
- ☐ Address (street name, city, state, and zip code)
- ☐ Telephone Number and E-mail address
- ☐ Name of the Judge, the court, and location of the court (County/City)
- ☐ Detailed description of the conduct or action the judge committed that demonstrated sanctionable conduct
- ☐ Name, address, telephone number, and email address for any attorney(s) and/or witness(s)
- ☐ Copies of any material supporting the allegations (NOTE: Do not submit any original materials; submitted materials will not be returned.)
- ☐ Signature under oath – oath should be as follows:

“I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information and belief.”

COMPLAINANT INFORMATION

Name: _____
Address: _____ City: _____ State: _____ Zip Code: _____
Phone Number: _____
Email: _____

Preferred Title and Pronoun:

- ☐ Ms.
- ☐ Mr.
- ☐ Judge
- ☐ Dr.
- ☐ She/Her
- ☐ He/Him
- ☐ They/Them
- ☐ Other _____

If you are currently incarcerated, please check the box below and provide your Inmate Number:

☐ Inmate ID Number _____

JUDGE INFORMATION

Name: _____

Court:

- ☐ Court of Appeals
- ☐ Court of Special Appeals
- ☐ Circuit Court
- ☐ District Court
- ☐ Orphans' Court

County/City: _____

CASE INFORMATION

If your complaint is related to a court proceeding, please provide the information requested below. If not, please write NONE and proceed to the next section.

Case Name: _____

Case Number (include all letters and numbers): _____

Case Type:

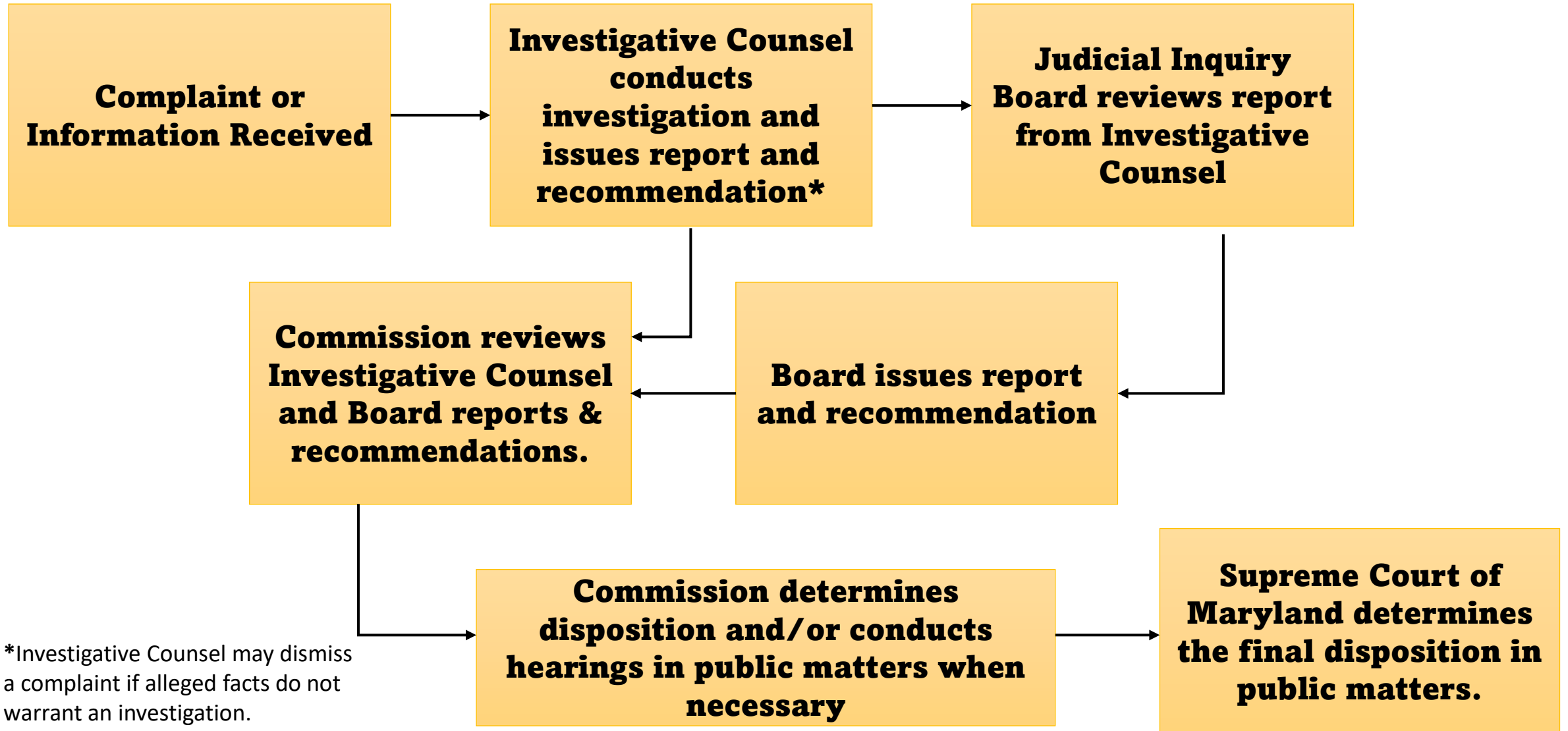
- ☐ Civil
- ☐ Criminal
- ☐ Family/Domestic
- ☐ Juvenile
- ☐ Probate
- ☐ Traffic
- ☐ Protective/Peace Order
- ☐ Sexual Harassment
- ☐ Other _____

Date(s) of Hearing(s) or Other Proceeding(s): _____

Although, a complaint will be acknowledged, there is no guarantee the complainant will be interviewed during an investigation.

INVESTIGATIONS ARE CONFIDENTIAL!

Complaint Process



Confidentiality

Generally, complaints and related information and proceedings of the Commission are confidential and not available to the public.

- Complaints filed.
- Investigations and work product.
- Deliberations of the Judicial Inquiry Board and Commission.
- Charges based solely on a Judge's disability or impairment, and all proceedings before the Commission.

Exceptions:

- A complaint is not kept confidential from the judge if a response is necessary.
- After filing of charges.
- If the judge provides a written waiver to release information.

Answers to Questions regarding Filing a Complaint

1. Are all complaints investigated?

No. Complaints and other written allegations are subject to dismissal by Investigative Counsel when the allegations complain only of conduct that clearly does not constitute a disability, impairment, or sanctionable conduct or are not under oath. The Complainant will be notified by Investigative Counsel.

2. How long does it take to complete an investigation? Will I be notified?

Depending on the complexity of the matter, it may take several months to complete the investigation of a complaint. The Complainant will be notified of the Commission's final disposition after reviewing the complaint and information obtained during the investigation.

The Complainant will be notified of the following actions by the Commission: complaint has been dismissed; complaint was brought to the judge's attention and no public action was taken; the complaint resulted in an agreement with the judge for corrective or remedial action; or the Commission has authorized the filing of charges as well as the disposition of a public hearing regarding potential sanctionable conduct.

3. Can the Commission help me if I am unhappy with the outcome of my court case?

No. The Commission has NO authority to handle appeals of a judge's ruling or decision. If you want to challenge a ruling or decision, you must file an appeal with the correct court within the required time period. Please contact a lawyer, if you need any advice or assistance as to appealing a court ruling.

Disposition Options

The following dispositions can be issued by the Commission:

- Dismissal, with or without, a letter of cautionary advice
- Reprimand
- Conditional Diversion Agreement
- Retirement
- Filing of Charges

The following dispositions can be issued by the Supreme Court of Maryland:

- Interim Suspension/Administrative Leave
- Censure
- Suspension
- Removal






THANK YOU

WWW.MDCOURTS.GOV/CJD

 COMMISSION ON JUDICIAL DISABILITIES

 +1 (410) 694-9380

 P.O BOX 340
Linthicum Heights, MD 21090

 commjd@mdcourts.gov