

Agency Purpose

Pursuant to M.S. 490A.01 & 490A.02, the purpose of the Board on Judicial Standards is:

- ◆ to ensure appropriate judicial conduct, and increase public confidence in the integrity and impartiality of the Minnesota judiciary;
- ◆ to ensure that all judicial officers employed by the judicial branch adhere to established standards of ethical conduct; and
- ◆ to provide a procedure to review and investigate allegations of judicial disability or misconduct, and to provide a forum to discuss questions concerning appropriate judicial behavior.

Core Functions

The board has two basic responsibilities: 1) to educate and advise the public and judicial officers as to appropriate judicial conduct; and 2) to review and investigate the complaints received on judicial disability or alleged misconduct including behavior that interferes with the performance of judicial duties or conduct prejudicial to the administration of justice. In support of these functions, the board engages in the following activities:

- ◆ receives, reviews, and investigates complaints filed against judges and judicial officers for violations of the Code of Judicial Conduct and statutes;
- ◆ issues discipline to judges and judicial officers when appropriate, including private warnings and public reprimands;
- ◆ initiates, when necessary, public proceedings against judges and judicial officers and recommends a disciplinary disposition to the Minnesota Supreme Court, including retirement, censure, or removal from office;
- ◆ reviews judges' compliance with M.S. 546.27 and takes appropriate disciplinary action, if necessary;
- ◆ responds to all inquiries concerning judicial ethics from the public, judges, attorneys, legislature, and board members; and
- ◆ educates the public, judges, and judicial officers on judicial ethics.

Operations

The agency serves a large statewide customer base. In the last ten calendar years, agency contacts have steadily increased. The board's primary activity is to serve the interests of the general public by determining and/or answering questions of proper judicial ethical behavior. Any person or entity may file a complaint against a judge or judicial officer.

Additionally, the staff educates and assists judges and judicial officers with questions concerning appropriate judicial conduct. The staff frequently conducts or otherwise participates in a variety of public and judicial seminars and workshops. Newly appointed judges and judicial candidates are provided information about the standards of appropriate judicial behavior.

Key Goals

All the activities and responsibilities of the board strive to these ultimate goals:

- ◆ efficiently and promptly review, investigate and act upon complaints of judicial misconduct;
- ◆ ensure the public with confidence in the integrity and impartiality of the Minnesota judiciary;
- ◆ educate and assist judges concerning judicial ethics for a knowledgeable judiciary.

At A Glance

Biennial Budget – FY 2008-09: \$910,000

Jurisdiction: 425
Judges and Referees
Retired Judges
Child Support Magistrates

Calendar Year 2007
1,308 Total Agency Contacts
107 Full Board Determinations

Discipline issued:
4 Public Reprimands
1 Civil Penalty
6 Warnings
11 Imposed Conditions and Adjustments

259 Responses to Judge Inquiries
1,049 Responses to Public Inquiries

Key Measures

- ◆ The agency strives to respond promptly to all inquires and to process complaints in a conscientious, thorough, and timely manner.
- ◆ The agency has improved the efficiency of its service to the public, judges and judicial officers, attorneys and the legislature, despite the increased number of individuals under the board's jurisdiction – new judgeships, child support magistrates, additional referees, etc.
- ◆ In calendar year 2007, 1,308 inquiries by the public and judges were responded to by the staff within the same or next day, and then an agency pamphlet was sent to each individual.
- ◆ The board meets every six weeks, and resolves matters within a 60-day average (where no additional inquiry or action is necessary).
- ◆ Agency estimates that it will receive and process 125 complaints in the next fiscal year and respond to over 1,500 inquiries from the public, judges, attorneys, and legislators.

Budget

The agency received an appropriation \$910,000 from the General Fund for FY 2008-09 budget. \$250,000 is a specific line item dedicated for investigative services, attorney fees and hearing costs for disciplinary proceedings. This portion of the budget continues through the biennium since proceedings rarely begin and end within each biennium. The balance of the budget consists primarily of salaries and basic operating expenses such as rent, supplies, and telecommunication costs. Despite significant increases in the number of judicial officers, public contacts and advisory and educational activities, the full-time employees have remained constant at two since 1974. Additional services are retained only when necessary.

Contact

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Dollars in Thousands

	Current		Forecast Base		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<u>Direct Appropriations by Fund</u>					
General					
Current Appropriation	450	460	460	460	920
Forecast Base	450	460	460	460	920
Change		0	0	0	0
% Biennial Change from 2008-09					1.1%
<u>Expenditures by Fund</u>					
Carry Forward					
Miscellaneous Special Revenue	6	6	0	0	0
Direct Appropriations					
General	354	556	460	460	920
Total	360	562	460	460	920
<u>Expenditures by Category</u>					
Total Compensation	229	245	248	254	502
Other Operating Expenses	131	317	212	206	418
Total	360	562	460	460	920
<u>Expenditures by Program</u>					
Judicial Standards Board	360	562	460	460	920
Total	360	562	460	460	920
Full-Time Equivalent (FTE)	2.0	2.0	2.0	2.0	