

Agency Purpose

Pursuant to M.S. 490.15, 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 four calendar years, agency contacts have steadily increased by 45%. 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 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.

At A Glance

Two Fiscal Year Budget: \$504,000

Jurisdiction: 427
Judges and Referees
Retired Judges
Child Support Magistrates

Calendar Year 2005
1,439 Total Agency Contacts
122 Full Board Determinations

Discipline issued:
1 Public Reprimand
12 Warnings
12 Imposed Conditions and Adjustments

296 Responses to Judge Inquiries
1,193 Responses to Public Inquires

- ⇒ In calendar year 2005, 1,439 inquires 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 monthly, and resolves matters within a 40-day average (where no additional inquiry or action is necessary).
- ⇒ Agency estimates that 130 complaints will be received and processed in the next fiscal year and will respond to over 1,600 inquiries from the public, judges, attorneys, and legislators.

Budget

The agency received an appropriation \$504,000 from the General Fund for FY 2006-07 budget. 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. Biennial expenditures for investigative costs, court reporters, and attorney services significantly increase when the board receives a complaint alleging serious misconduct. There are no ongoing base resources for these expenditures, so this typically requires a special request for additional funds for the agency to proceed with its statutory obligation. Two requests for insufficient funds were made in FY 2006 totaling \$222,000 for four proceedings.

Contact

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Dollars in Thousands

	Current		Forecast Base		Biennium 2008-09
	FY2006	FY2007	FY2008	FY2009	
<u>Direct Appropriations by Fund</u>					
General					
Current Appropriation	449	277	252	252	504
Forecast Base	449	277	252	252	504
Change		0	0	0	0
% Biennial Change from 2006-07					-30.6%
 <u>Expenditures by Fund</u>					
Direct Appropriations					
General	469	257	252	252	504
Total	469	257	252	252	504
 <u>Expenditures by Category</u>					
Total Compensation	203	207	208	208	416
Other Operating Expenses	266	50	44	44	88
Total	469	257	252	252	504
 <u>Expenditures by Program</u>					
Judicial Standards Board	469	257	252	252	504
Total	469	257	252	252	504
Full-Time Equivalent (FTE)	2.0	2.0	2.0	2.0	