

Can I Complain About a Bad Judge?

Can I complain about a bad judge?

Yes, if the judge did something wrong, such as:

- Did not let you speak or ask questions
- Talked to the other side's lawyer alone
- Was a friend, relative, or business associate of someone involved in your case
- Made rude, sexist, or racist comments, or was prejudiced against a person or group of people
- Was drunk
- Was bribed
- Did anything illegal

You may also complain about things a judge did or said that seemed to be caused by a physical or mental disability.

Who do I complain to?

You may file a complaint with the New York State Commission on Judicial Conduct.

How do I file a complaint against a judge?

1. Fill out a complaint form (or write a letter).

Include:

- The case number
- Your name, address, and phone number
- Copies of court papers that support your complaint
- Your signature and the date

Get a complaint form at: www.scjc.state.ny.us/General%20Information/complaintform.htm

Tips:

- List the facts that support your complaint (what the judge said or did)
- Do not exaggerate
- Do not use emotional language, like "He was a jerk!"

2. Mail your complaint (and any supporting papers) to the Commission Office nearest you.

61 Broadway, Ste. 1200, New York, NY 10006
400 Andrews St, Rochester, NY 14604
Corning Tower, Ste. 2301, Empire State Plaza, Albany, NY 12223

Can I get a record of what was said at my court hearing?

Yes. All court hearings are recorded. If you want to listen to the recording of your hearing, tell the court clerk. You may also buy or make a copy of the audio recording.

What happens after I file a complaint?

The Commission will read your complaint and decide to investigate or not. If they decide to investigate, they may:

- Interview people who were at your hearing,
- Ask the judge what happened, and
- Look at court documents from your case.

What happens if the Commission decides my complaint is valid?

The Commission will:

- File charges against the judge, and
- Schedule a formal hearing. (You may have to go to the hearing to answer questions.)

After the hearing, the Commission will decide what actions to take. The punishments could be:

- A private warning
- A public warning
- An order to retire or be fired

How will I know what the Commission decides?

The commission must send you a letter that explains how they decided your complaint.

Can I get a new hearing?

No. But if you think the judge's bad behavior affected the decision in your case, you may file an appeal.

Where can I learn more about complaints?

Call the NY State Commission on Judicial Conduct:

NYC: **(646) 386-4800**

Albany: **(518) 453-4600**

Rochester: **(585) 784-4141**

Go to the Commission's web site:

www.scjc.state.ny.us

Or contact your local legal aid program. To find a program near you, visit: *[LSA finder URL]*