

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

November 19, 2007

FRANK H. EASTERBROOK
Chief Judge

No. 07-7-352-49

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

The executive committee of a federal district court, deeming complainant a potential threat to judicial security, has issued an order providing that complainant will be accompanied by a representative of the Marshal Service while he in the courthouse. Complainant believes that, by signing this order, the chief judge of the district has engaged in misconduct.

A complaint under the Judicial Conduct and Disability Act of 1980 is not a means to obtain review, on the merits, of a decision made by a federal judge. It may be, as complainant insists, that he is no threat to anyone. But an error of judgment, if that is what has occurred, differs from misconduct in office.

Federal judges have been assassinated by disgruntled litigants, and when complainant first came to the attention of the Marshal Service a judge in the district court was under close protection because two members of her family recently had been murdered by a disappointed litigant who was lying in wait for the judge. Judges do not commit misconduct by taking steps that enhance a courthouse's security while respecting everyone's freedom. The order entered in this case may be unwelcome to complainant, but it does not deny him access to the courthouse and does not affect his freedom to do as he pleases when away from the courthouse.