

## **GUIDANCE ON THE RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

The following contains general information and instructions regarding the filing of complaints against judges within the United States Court of Federal Claims pursuant to the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364 (hereinafter “the Act”) and the federal Rules for Judicial-Conduct and Judicial-Disability Proceedings (RJCJD). The RJCJD were promulgated by the Judicial Conference of the United States to prescribe uniform national procedures for the consideration of claims of judicial misconduct or disability under the Act. These national rules became effective April 11, 2008.

You should refer to the RJCJD before filing your complaint, and keep in mind the following general guidance.

### Complaint Form

- In order to file a complaint that is compliant with Rule 6 of the RJCJD, you may use the complaint form reproduced in the appendix to the national rules. See RJCJD Rule 6(a). Whether or not you choose to use the complaint form, your complaint must contain a concise statement that details the specific facts on which the claim of misconduct or disability is based. See RJCJD Rule 6(b).
- Generally, a complaint should not exceed five (5) single-sided and double-spaced pages.
- To be considered under RJCJD Rule 6, the truth of the statements made in the complaint must be verified in writing under penalty of perjury.
- It is important that your complaint is complete at the time it is filed. It should state all of the facts which support your allegations of misconduct and/or disability. Supplements to the complaint should not be submitted. If further information is required, the chief judge or senior staff attorney will direct that a supplement to the complaint be filed.

### Availability of Rules and Complaint Forms

- The Rules for Judicial-Conduct and Judicial-Disability Proceedings and a complaint form are accessible on the United States Court of Federal Claims website, [www.uscfc.uscourts.gov](http://www.uscfc.uscourts.gov).

### No Fee Required for Filing Complaints

- There is no filing fee for complaints of judicial misconduct or disability.

### Number of Copies Required

- The clerk of court is to receive the original complaint form, the statement of facts, and any attachments. Two copies of the complaint form, the statement of facts, and any attachments are required: one for the chief judge and one for the judge against whom the complaint is filed. If the complaint is against more than one judge, an additional copy is required for each additional judge.

### Where to Initiate Complaints

Complaints against federal judges within the United States Court of Federal Claims must be sent to:

Clerk of Court, United States Court of Federal Claims  
Howard T. Markey National Courts Building  
717 Madison Place, NW  
Washington, DC 20005

- Mark the outside of the envelope with either “Judicial Misconduct” or “Judicial Liability”. Do not put the name of any judge on the envelope.

### No Electronic Submission Permitted

- Because complaints must be signed and verified, claims of judicial misconduct or disability may not be filed electronically or by facsimile machine.

### Where to File Petitions for Review

- A petition for review from a decision by the United States Court of Federal Claims chief judge must be sent to:

Clerk of Court, United States Court of Federal Claims  
Howard T. Markey National Courts Building  
717 Madison Place, NW  
Washington, DC 20005

- Mark the outside of the envelope with “Petition for Review”.
- Be sure the Petition for Review is complete; supplements to Petitions for Review will not be accepted for filing.

### Further Information

If you have read through the RJCJD and still have questions about the application of the Rules for Judicial-Conduct and Judicial-Disability Proceedings in the United States Court of Federal Claims, you may contact a staff attorney at (202) 357-6400.