THE COMMISSION ON RETIREMENT, REMOVAL AND DISCIPLINE

This is a brief description of the purposes, jurisdiction and procedures of the Commission on Retirement, Removal and Discipline.

BACKGROUND

The Commission on Retirement, Removal and Discipline was created in 1972 when voters approved Article 5, §24 of the state constitution. The new article, which was subsequently amended in 1976, established the Commission as an independent state agency responsible for investigating complaints against state judges on the Supreme Court, court of appeals, circuit and associate circuit courts, and municipal courts.

As a forum for citizens with complaints against judges, judicial conduct Commissions help maintain the balance between judicial independence and public accountability and serve to strengthen the judiciary by encouraging judges to maintain high standards of professional and personal conduct.

ORGANIZATION

The Commission consists of six members with diverse backgrounds who serve six-year terms. It is composed of two citizens who are not members of the Missouri Bar, appointed by the Governor; two lawyers appointed by the Board of Governors of the Missouri Bar; one judge of the court of appeals to be selected by a majority of the judges of the court of appeals; and one judge of the circuit courts to be selected by a majority of the circuit judges of the state. The current Commission members are:

- Mr. Eddy A. Justice, Chair
- Ms. Angel M. Woodruff, Secretary
- Hon. Thomas Chapman
- Ms. Rebecca L. Leonard
- Hon. Christopher McDonough

Members are not compensated for their work but may receive their actual and necessary expenses. The Commission schedules meetings throughout the year and regularly communicates by phone and e-mail. They are supported by a professional staff. You can reach a staff member at 573-966-2007, by email crrd@courts.mo.gov or by letter at Post Office Box 1529, Jefferson City, Missouri 65102. Although the Commission operates independently, it is part of the judicial branch of government. The Commission's rules of procedure are posted on the Commission's website, CRRD Web page.

JURISDICTION

The Commission has jurisdiction over Missouri judges of the Supreme Court, court of appeals, circuit and associate circuit and municipal courts. It does not have jurisdiction over court employees, workman's compensation judges, administrative law judges, federal judges, or court Commissioners. Complaints against court Commissioners should be filed with the Office of Chief Disciplinary Counsel, 3327 American Avenue, Jefferson City, MO 65109. Complaints against federal judges should be filed with the Clerk of the Court, US Court of Appeals, 8th Circuit, 111 S 10th Street, St. Louis, Missouri 63102; (314) 244-2400.

SCOPE OF AUTHORITY

The Commission has authority to investigate complaints involving the following:

- Willful misconduct in office.
- Willful and persistent failure to perform duties.
- Habitual intemperance (e.g., alcohol or drug abuse).
- Permanent disabilities that interfere with judicial duties.
- A violation of the Code of Judicial Conduct.
- Conduct that brings the judiciary into disrepute.

The Commission's primary concern is judicial behavior, not judicial decision-making. Only a higher court can overturn a judge's decision or ruling. The Commission is not a court and cannot change a judge's decision (including child custody orders), intervene in a pending case, remove a judge from a case, or award damages or other monetary relief to litigants.

Complaints that allege misconduct solely on the basis of a judge's decisions will be dismissed without investigation. Neither the Commission nor its staff can provide legal assistance or advice.

THE COMPLAINT PROCESS

Anyone can file a complaint against a judge. An official complaint form can be obtained from the Commission's office or downloaded from this web site. A letter will be treated as a complaint if it contains the information required on the official form. There is no charge for filing a complaint.

A complaint consists of a statement of facts describing the judge's conduct and listing the names of witnesses who can verify the facts. The complainant is not required to provide court rules, but may attach copies of documents that might help the Commission understand the complaint. ***All materials submitted become property of the Commission and are not returned to the complainant, therefore it is recommended that only COPIES of documents be submitted with your complaint.***

Complaints must be mailed or e-mailed to the Commission's office. All complaints are given numbers and screened in the order *in which they are received*. The Commission's investigation may take several months, depending on the complexity of the matter and the Commission's caseload.

The complainant will be notified by mail of the Commission's decision at the conclusion of the investigation. If a complainant disagrees with the Commission's decision, he or she may request that the Commission reconsider its decision. The request for reconsideration must present evidence or argument that was not previously provided to the Commission.

JUDICIAL DISCIPLINE

The Commission may reprimand a judge informally for violating the Code of Judicial Conduct or for failing to live up the ethical standards described in the state constitution. Informal reprimands are imposed when the judge's conduct is improper, but not so serious as to require discipline by the Supreme Court.

In some cases, the Commission may file formal charges and hold a hearing to consider evidence about the judge's conduct. If it finds that the judge committed misconduct, the Commission can recommend to the Supreme Court that the judge be reprimanded, suspended without pay, or removed from office. The court may also retire a judge from office for a permanent physical or mental condition that prevents the judge from performing judicial duties.

CONFIDENTIALITY

Papers and proceedings of the Commission are kept confidential unless a formal recommendation for discipline or disability retirement is filed by the Commission before the Supreme Court.

FREQUENTLY ASKED QUESTIONS

Do I have to use the Commission's complaint form?
It is recommended that complainant's use the Commission's complaint form but it is not necessary. All submissions must contain the ***complainant's name and contact information****, the* ***name of the judge****, the* ***case number*** *associated with the complaint and the exact behavior you believe to be violative of the Code of Judicial Conduct.*

Will my identity be revealed to the judge?
As a general rule, no. Unless you waive confidentiality, your identity is not revealed to the judge during the initial investigation. If there is a formal hearing and you are a witness, your identity may be revealed during the course of your testimony. In addition, your identity may be apparent based on the nature of your allegations. If a judge needs to be written for a response to the allegations in the complaint the complainant is not divulged.

Will filing a complaint with the Commission change the decision in my lawsuit?
No. Commission proceedings have no effect on judicial decisions or appeals.

Will my complaint automatically disqualify the judge from further involvement in my case?
No. Filing a complaint does not automatically disqualify a judge from hearing a case.

Should I wait to hear from the Commission before I appeal my case?
No. The time allowed for an appeal may expire, and the Commission cannot grant extensions for filing appeals.

Does the Commission review all complaints?
Yes. Every complaint is reviewed by the Commission and its staff but formal hearings are not held for every complaint.

If I am uncertain about whether to file a complaint, is there someone I can talk to first?
Yes. You can call the Commission's office and talk to a member of the staff. The staff member will not be able to tell you if a judge has committed misconduct or give you any legal advice but may assist you in explaining the procedures of the Commission.

THE CODE OF JUDICIAL CONDUCT

All judges in Missouri are subject to the Code of Judicial Conduct, which contains the following canons or broad general principles:

1. A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.
2. A judge shall perform the duties of judicial office promptly, efficiently and fairly.
3. A judge shall conduct the judge's extrajudicial activities so as to minimize the risk of conflict with the obligations of judicial office.
4. A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

The complete text of the code may be downloaded from this website: CRRD Web page.

COMMISSION ON RETIREMENT, REMOVAL AND DISCIPLINE
Post Office Box 1529
Jefferson City, Missouri 65102
E-mail: crrd@courts.mo.gov Telephone: (573) 966-2007

COMPLAINT ABOUT A MISSOURI JUDGE

[PLEASE **TYPE** OR **PRINT** ALL INFORMATION]

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Cell phone: (___)_____ E-mail:_____

I have information of possible misconduct or disability on the part of:

Judge[s] (**full name**) _____, of the _____Judicial Circuit Court
(number)
in _____, _____. Missouri.
(city) **(county)**

1. When and where did this happen?

   Date(s):_____ Location:_____

2. If your information arises out of a court case, please answer these questions:

   (a) What is the name and number of the case?

   Case name:_____ **Case No.**:_____

   (b) What kind of case is it?

   _____ criminal _____ domestic relations _____ small claims _____ traffic
   _____ probate _____ civil _____ juvenile _____ contempt
   _____other [specify]:_____

   (c) What is your relationship to this case?

   _____ plaintiff/petitioner _____ defendant/respondent
   _____ attorney for _____ _____ witness for_____
   _____ other [specify]:_____

   (d) If you were represented by an attorney at the time of the conduct of the judge, please identify the attorney:

   Name: _____

   Address: _____

   City: _____

   Phone: (___)_____

3. List any documents you have included supporting your assertion that the judge has engaged in misconduct or has a disability ***[Please note that submissions become property of the Commission's permanent files and will not be returned. Provide only copies of documents and retain originals in your possession]:***

_____

_____

4. Identify, if you can, any other witnesses to the conduct of the judge:

Name(s): _____

Addresses: _____

_____

Phone: (___)_____ (___)_____

5. Specify below the details of what the judge did that you think constitutes misconduct or indicates disability. [**PLEASE TYPE OR PRINT LEGIBLY**; ATTACH ADDITIONAL PAPER IF NECESSARY].

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

The Commission on Retirement, Removal and Discipline only has jurisdiction to investigate ethical violations of **Missouri State judges**. **The Commission does not have the authority to review whether a judge has made the correct decision in a case. Disagreements with a judge's decision or order must be taken up with the appellate courts.** ***Pursuant to Supreme Court en banc Opinion No. SC90937*** *the Commission on Retirement, Removal and Discipline no longer has jurisdiction to review complaints against court Commissioners.* Such complaints should be filed with the presiding judge of the relevant circuit or with the Office of Chief Disciplinary Counsel, 3327 American Avenue, Jefferson City, Missouri 65109; telephone (573) 635-7400.

PURSUANT TO SUPREME COURT RULE 12, THE IDENTITY OF INFORMANTS IS KEPT CONFIDENTIAL. YOU MAY CHOOSE TO WAIVE THIS CONFIDENTIALITY.

_____ I **do** waive the confidentiality of Supreme Court Rule 12 and request that a copy of my complaint be sent to the judge.

_____ I **do not** waive the confidentiality provided by Supreme Court Rule 12 and request that the Commission **not** disclose my identity to the judge.

Signature: _____**Date:** _____

[Updated 07.29.25]