COURT ON THE JUDICIARY OF THE STATE OF DELAWARE

Confidential Complaint against a Judge/Commissioner/Magistrate

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PLEASE READ BEFORE COMPLETING THIS FORM:

The Court on the Judiciary has the power to discipline a judicial officer for (1) wilful misconduct in office; (2) wilful and persistent failure to perform duties; (3) the commission after appointment of an offense involving moral turpitude, or (4) other persistent misconduct in violation of the Delaware Judges' Code of Judicial Conduct.

The complaint process is not a substitute for an appeal or other remedy in any underlying litigation. The Court on the Judiciary cannot intervene in or change court proceedings or decisions in any way, and it should not be relied on for that purpose. If you disagree with or wish to contest a ruling in your case, it may be appropriate for you to file an appeal.

A complaint is a sworn statement made under penalty of perjury and must be executed by oath or affirmation before a notary public or other authorized person.

A complaint must contain a concise statement of facts which, if true, would establish misconduct or disability. A complaint must include transcript or other documents from the court record that the Court may need to understand the complaint. A complaint may be dismissed for failure to comply with these requirements.

A complaint may be dismissed if, on its face, it is found to be (1) frivolous, (2) lacking in good faith, (3) based upon a litigant's disagreement with the ruling of a judge, or (4) is properly a matter subject to appellate review.

The complaint process is confidential unless otherwise ordered by the Court on the request of the judicial officer involved.

Notarized complaints should be mailed to:

Court on the Judiciary
34 The Circle
Georgetown, DE 19947

Please direct questions to: Margaret L. Naylor, Clerk, 302-856-5229.
Website: http://courts.delaware.gov/coj/

Note: Delaware law provides that proceedings in the Court on the Judiciary are confidential. Filing a complaint is not a substitute for an appeal and has no effect on your legal rights. The appellate process is subject to strict deadlines. You should immediately contact an attorney for legal advice about your appellate rights and other available remedies.

COURT ON THE JUDICIARY OF THE STATE OF DELAWARE

Confidential Complaint

_____
Person making the complaint

_____
Address

_____
Phone number

I would like to file a complaint against: _____
Name of Judge/Commissioner/Magistrate

_____
If the complaint involves a court case, please give the case number and caption.

Statement of Facts: please explain what the Judge/Commissioner/Magistrate did that was unethical. Please attach copies of supporting documents.

_____
_____
_____
_____
_____
_____

If additional space is required, use additional pages as needed and attach them to this page.

I solemnly swear or affirm under penalty of perjury that the contents of this complaint are true and correct to the best of my knowledge, information and belief.

State of _____

_____
Signature of Complainant

County of _____

Signed and sworn to or affirmed before me this _____ day of _____

_____
Notarial Officer