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Board on Judicial Standards

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<http://www.bjs.state.mn.us/>

AT A GLANCE

The Board on Judicial Standards:

- Investigates complaints of judicial misconduct or disability
- Seeks or imposes discipline on judges when appropriate
- Advises and educates judges on proper conduct
- Has jurisdiction over all Minnesota trial and appellate judges (322 positions), retired judges in active service (99), Judges of the Minnesota Tax Court (3), and the Workers' Compensation Court of Appeals (5), the Chief Judge of the Office of Administrative Hearings (1), referees, and other judicial officers.

PURPOSE

The mission of the Board on Judicial Standards is to maintain public confidence in the integrity and impartiality of the Minnesota judiciary by enforcing the Minnesota Code of Judicial Conduct and by educating and advising judges how to comply with the Code.

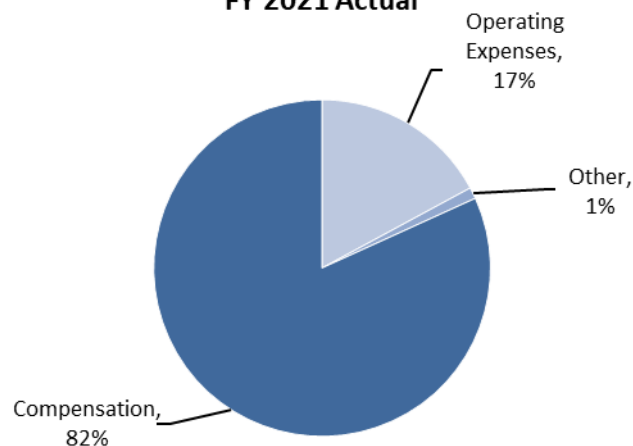
A society cannot function without a fair and effective way to resolve disputes. Acceptance of judicial rulings is based on public recognition that the judiciary and the court system are worthy of respect and trust. Public confidence in our judicial system directly depends on the proper conduct of our judges.

The Minnesota Constitution authorizes the Legislature to provide for the retirement or discipline of any judge who is disabled or guilty of conduct prejudicial to the administration of justice. The Legislature created the Board on Judicial Standards to carry out this task. The Minnesota Supreme Court adopted the Code of Judicial Conduct which sets forth the standards for judges to follow.

The Board has ten members: one judge from the Court of Appeals, three district court judges, two lawyers, and four citizens who are not judges or lawyers. All members are appointed by the Governor and, except for the judges, require confirmation by the Senate. The Board is supported by an Executive Secretary, a Staff Attorney, and an Executive Assistant.

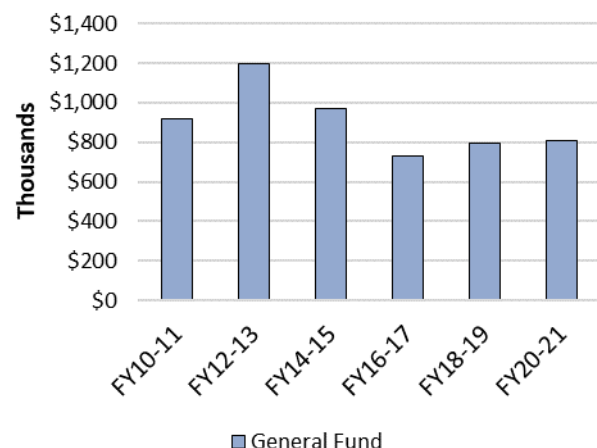
BUDGET

**Spending by Category
FY 2021 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

STRATEGIES

To accomplish its mission, the Board uses the following strategies:

- The Board promptly reviews complaints alleging judicial misconduct or disability, conducting investigations when necessary.
- The Board uses fair and open procedures that respect the judge's right to due process.
- If the Board finds serious misconduct, the Board may issue a public reprimand; or, if the misconduct is isolated and non-serious, the Board may issue a private admonition.
- If the Board issues a private admonition, the judge may request a panel to consider the Board's decision in a private hearing.
- In serious cases, the Board files a formal complaint against the judge, which can result in a public hearing by a panel and a recommendation to the Minnesota Supreme Court for discipline such as censure, suspension, or removal from office.
- The Board and its Executive Secretary advise and educate judges on applications of the Code of Judicial Conduct.
- The Board is not a substitute for the Court of Appeals. The Board does not review judicial decisions for legal error unless the judge acts in bad faith, or otherwise violates a provision of the code.

The Board continues to successfully reduce its expenditures for litigation by increasing its educational activities and through the thorough investigation and preparation of cases before seeking public discipline.

The Board continually strives to become more transparent to the judges, the public, and the Legislature. The board regularly updates its website with greatly revised and supplemented content to display more information about the Board's activities and to provide better guidance on ethics issues faced by judges.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Complaints received and reviewed by Board	158	237	2020-2021
Quantity	Complaint files opened	33	41	2020-2021
Quantity	Informal written advisory opinions to individual judges	150	167	2020-2021
Quantity	Public reprimands	1	1	2020-2021
Quantity	Private admonitions, letters of caution, deferred dispositions	8	9	2020-2021

Performance Measures Notes:

The data shown is for calendar years 2020 and 2021. The Board's activities in previous years are described in the Board's Annual Reports, available at the Board's website.

The Minnesota Constitution authorizes the Legislature to "provide for the retirement, removal, or other discipline of any judge who is disabled, incompetent, or guilty of conduct prejudicial to the administration of justice." Minn. Const. Art. 6, Sec. 9 (https://www.revisor.mn.gov/constitution/#article_6).

The 1971 Legislature created the Board on Judicial Standards to carry out this task. M.S. 490A.01-.03. (<https://www.revisor.mn.gov/statutes/cite/490A/pdf>). The Board operates under the Rules of Board on Judicial Standards adopted by the Minnesota Supreme Court.

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Enacted Budget	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General	409	401	445	970	586	586	655	645
Total	409	401	445	970	586	586	655	645
Biennial Change				605		(243)		(115)
Biennial % Change				75		(17)		(8)
Enacted Budget Change from Base								128
Enacted Budget % Change from Base								11

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base FY24 FY25		Enacted Budget FY24 FY25	
1000 - General								
Balance Forward In	223	351	249	384				
Direct Appropriation	535	509	580	586	586	586	655	645
Cancellations		210						
Balance Forward Out	349	249	384					
Expenditures	409	401	445	970	586	586	655	645
Biennial Change in Expenditures				605		(243)		(115)
Biennial % Change in Expenditures				75		(17)		(8)
Enacted Budget Change from Base								128
Enacted Budget % Change from Base								11

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	586	586	586	1,172
Forecast Base	586	586	586	1,172
Change Items				
Maintain Current Service Levels		69	59	128
Total Enacted Budget	586	655	645	1,300

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25	FY26	FY27	Biennium 2026-27
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Maintain Current Service Levels

This provision provides additional operating funds to maintain the current level of service delivery at the Board on Judicial Standards.

1000 - General Fund Cost (Savings)	0	69	59	128	59	59	118
Expenditures	0	69	59	128	59	59	118