

**JUDICIAL COUNCIL OF THE DISTRICT OF COLUMBIA CIRCUIT
COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866
202-216-7340



This form should be completed and mailed to the above address to the attention of the "Circuit Executive". The envelope should be marked "JUDICIAL MISCONDUCT COMPLAINT" or "JUDICIAL DISABILITY COMPLAINT". Do not put the name of the judge on the envelope.

The "Rules for Judicial-Conduct and Judicial-Disability Proceedings", adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. Your complaint (this form and the statement of facts) should be typewritten and must be legible. Only the original form and up to a five page statement of facts should be submitted. No copies are required.

1. Name of Complainant:

Address:

Telephone:



2. Name(s) of Judge(s) complained about: Judge Brett Kavanaugh

Court: US Circuit Judge of the US Court of Appeals for the District of Columbia Circuit

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?

Yes No

If "yes" give the following information about each lawsuit (use reverse side if more than one):

Court:

Case number:

Are (were) you a party or lawyer in the lawsuit?

Party Lawyer Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

Docket number(s) of any appeals of above case(s) to the Court of Appeals, D.C. Circuit:

4. Have you filed any lawsuits against the judge?

Yes No

If "yes" give the following information about each lawsuit (use the reverse side if more than one)

Court: _____

Case number: _____

Present status of lawsuit: _____

Your lawyer's name: _____

Address: _____

Telephone: () -

Court to which any appeal has been taken in the lawsuit against the judge: _____

Docket number of the appeal: _____

Present status of the appeal: _____

5. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based on up to five double-sided pages (8.5 x 11"). Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation. See Rule 6 (a) for further information on what to include in your statement of facts.

Declaration and Signature:

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature: 

Date: October 1, 2018

STATEMENT OF FACTS

On September 27, 2018 Judge Brett Kavanaugh gave testimony before the Senate Judiciary Committee in connection with his nomination to the Supreme Court of the United States. This testimony was related to the allegations brought by Dr. Christine Blasey Ford. The testimony was televised and broadcast live; due to other commitments, I watched Judge Kavanaugh's testimony later that day at my home in Pittsburgh, PA.

Judge Kavanaugh's opening statement was aggressive, angry, and blatantly partisan. His testimony was likewise aggressive, particularly in response to questions posed by women on the Senate Judiciary Committee. I was appalled by Judge Kavanaugh's rude interruptions, posing questions to his interrogators, and evading direct answers numerous times during his testimony. In short, Judge Kavanaugh's conduct was undignified, and far below the level of decorum and integrity expected from the Supreme Court nominees. I bring forward this complaint because I believe that Judge Kavanaugh's conduct demonstrates that he is temperamentally unsuited to maintain any judicial position, including his current one as a Judge on the U.S. Court of Appeals for the D.C. Circuit.

The Code of Judicial Conduct that governs the District of Columbia Courts (2018 Edition) makes it clear that the Rules stated therein are "binding and enforceable" on all judges in the District of Columbia and judges may be disciplined for violating a Rule (Code of Judicial Conduct p 2., 2018). Judge Kavanaugh's conduct violated the following rules (which can be verified by reviewing any recording of his testimony on September 27, 2018):

Rule 1.2 [Promoting Confidence in the Judiciary]: "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."

Rule 2.3 (B) [Bias, Prejudice, and Harassment]: "A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon ... gender, ... or political affiliation ..."

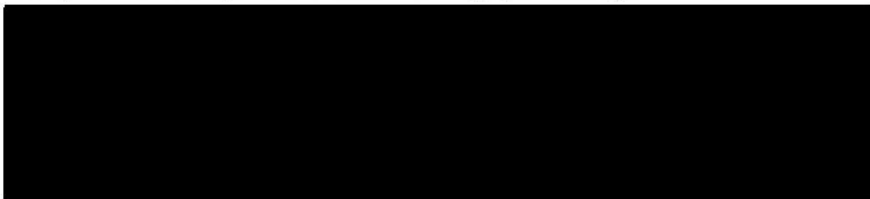
Rule 2.4 (C) [External Influences on Judicial Conduct]: "A judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge"

Rule 3.1 (C) [Extrajudicial Activities in General]: "... when engaging in extrajudicial activities, a judge shall not ... participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality"

Rule 4.1 (A)(7) [Political and Campaign Activities of Judges and Judicial Candidates in General]: "... a judge or a judicial candidate shall not ... seek, accept, or use endorsements from a political organization"

I bring this complaint as a United States citizen. The facts alleged within this Statement of Facts and the accompanying Complaint are based on my own personal knowledge resulting from my viewing of the Senate Judiciary Committee hearing referenced above and my review of the Code of Judicial Conduct that governs the District of Columbia Courts.

I declare under the penalty of perjury under the laws of the State of Pennsylvania that the above statements are true and correct, and that this statement was executed on September 30, 2018 in Pittsburgh, Pennsylvania.



October 1, 2018