

Annual Report on the Judiciary Workplace 2024



Administrative Office
of the United States Courts

Office of Judicial Integrity



Annual Report on the Judiciary Workplace

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INTRODUCTION: THE JUDICIARY'S STRUCTURE, WORKFORCE, AND WORKPLACE POLICIES

THE FEDERAL JUDICIARY

The Federal Judiciary, established under Article III of the Constitution, encompasses the Supreme Court of the United States, more than 200 lower federal courts, and judicial branch offices at the national, regional, and local levels that support the administration of justice. Pursuant to the Criminal Justice Act, 28 U.S.C. § 3006A(g)(2)(A), federal public defender organizations (FPDOs) and their employees are also part of the Judiciary for administrative and personnel purposes. This report will focus primarily on the workplaces of the lower federal courts, their individual court units (e.g., clerks of court offices, probation and pretrial services offices, and others), and FPDOs.

JUDGES AND COURTS

Judges serving in the more than 200 federal courts include both Article III and Article I judges. Article III judges, who hold life tenure, include circuit judges on the courts of appeals, district judges in the geographic districts of the United States (excluding the U.S. territories), and judges of the U.S. Court of International Trade. Article I judges, who serve for specified terms, include judges of the U.S. Court of Federal Claims, bankruptcy judges, magistrate judges, and judges of the U.S. territorial district courts.

INDEPENDENT COURTS AND EMPLOYING OFFICES

Each federal judge, each court unit of the federal courts, and each FPDO functions as an independent employing office that manages and supervises its own staff. The staff in a judge's chambers may include a judicial assistant and one or more law clerks, who may serve for fixed terms or as career employees.

Court employees outside of chambers, such as those in clerks' offices, support the work of the Judiciary by performing essential functions in case administration, finance, facilities management, information technology, and human resources. Probation and pretrial services offices employ law enforcement officers as well as administrative and support staff. FPDOs employ assistant federal public defenders, research and writing specialists, investigators, administrative officers, and other professional staff.

THE JUDICIARY WORKFORCE

Together, judges, chambers staff, employees of the federal courts and their court units, and FPDO employees comprise a Judiciary workforce of approximately 30,000 dedicated public servants working across the United States (see **Figure 1**, below).

The Judiciary Workforce¹ by Employment Category (FY 2024 Actual FTEs)

Figure 1

Employment Categories		
Article III Judges (active and senior) ²	1,428	2,290 judges
Article I Judges	862	
Judges' chambers staff	5,937	27,841 employees
Non-chambers court employees	10,909	
Probation and Pretrial Services Office employees	7,702	
FPDO employees	3,293	
Total		30,134

WORKPLACE POLICIES IN THE JUDICIARY

Workplace policies in the Judiciary are established and implemented at the national, circuit, and local levels and apply to the federal courts, their court units, and FPDOs.

At the **national level**, policies are set by the [Judicial Conference of the United States](#) (Judicial Conference), which meets twice a year to address administrative and policy matters for the branch. The Judicial Conference acts through its committees, and for workplace conduct-related matters, the Conference's Committee on Judicial Resources, the Committee on Codes of Conduct, and the Committee on Judicial Conduct and Disability have subject matter jurisdiction. The Director of the AOUSC serves as Secretary to the Judicial Conference, and administrative support is provided by the professional staff at the AOUSC.

At the **circuit level**, each circuit judicial council³ plays a central role in implementing and enforcing national workplace policies. The Judicial Conference codified model employment protections through its adoption of the [Model Employment Dispute Resolution \(EDR\) Plan](#) and [Model FPDO EDR Plan](#), which are then implemented and enforced at the local level. By statute (*see* 28 U.S.C. § 332(d)(1)), circuit judicial councils have broad authority to “make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit.” This includes adopting circuit-wide workplace conduct policies or approving modifications to the Model EDR Plans made by local courts or FPDOs and ensuring that locally adopted plans preserve the workplace rights provided under national policy. Circuit judicial councils also have an adjudicatory role in hearing appeals in EDR matters and considering

¹ This data excludes the Supreme Court and other Judiciary organizations, such as the Federal Judicial Center, Administrative Office of the U.S. Courts, U.S. Sentencing Commission, and Judicial Panel on Multi-District Litigation.

² Figure 1 includes active judges as well as retired Article III judges who continue to serve as senior judges.

³ Except for the Federal Circuit, each circuit's judicial council is composed of the circuit's chief judge and an equal number of circuit and district judges from within that circuit. The Federal Circuit, however, is distinct among the thirteen courts of appeals because it exercises nationwide jurisdiction over appeals from all federal district courts, as well as from the U.S. Court of Federal Claims, the U.S. Court of International Trade, and the U.S. Court of Appeals for Veterans Claims. Consequently, the Federal Circuit's judicial council includes only the circuit judges of the Federal Circuit who are in regular active service, with no district court members.

petitions for review of chief circuit judges' orders under the [Rules for Judicial-Conduct and Judicial-Disability Proceedings](#) (JC&D).

At the **local level**, individual courts and employing offices implement and enforce workplace protections and effectuate EDR processes. Chief judges oversee the day-to-day administration of their courts and supervise court unit executives—such as circuit executives, clerks of court, chief probation officers, and chief pretrial services officers—who are in turn responsible for the management of their individual employing offices.

THE FEDERAL JUDICIARY WORKPLACE CONDUCT WORKING GROUP

At the request of the Chief Justice, the AOUSC Director established the Federal Judiciary Workplace Conduct Working Group (Working Group) in January 2018. The AOUSC Director serves as Chair, joined by seven members: the Counselor to the Chief Justice, the Director of the Federal Judicial Center, two circuit judges, two district judges, and a circuit executive. The Chair of the Judicial Conference Committee on Judicial Resources serves as an ex officio member.

The Working Group has continually reviewed workplace conduct policies and processes over multiple years, soliciting feedback from Judiciary employees, former law clerks, advisory councils, and outside experts. As of the end of FY 2024, the Working Group has issued approximately 40 recommendations across two major reports:

- [June 2018 Report](#): Included over 30 recommendations, all implemented through Judicial Conference action or other initiatives. These included revisions to the Model EDR Plan, updates to the codes of conduct and JC&D Rules, creation of new positions and resources at all levels of the Judiciary, and expanded training on workplace conduct and employment dispute resolution.
- [March 2022 Report](#): Included nine recommendations aimed at further refining workplace conduct policies and informing future initiatives, such as conducting national workplace surveys, improving data collection, and publishing this Annual Report on the Judiciary Workplace.

When recommendations from the Working Group or other sources relate to Judiciary policy, those recommendations are typically considered by the relevant committees of the Judicial Conference. Appendix A details the specific actions the Judicial Conference has taken since 2018 relating to workplace conduct, including: amendments to the Judiciary's codes of conduct, approval of a new Model EDR Plan with streamlined processes and procedures, approval of a new Model FPDO EDR Plan tailored to the work of FPDOs, amendments to the JC&D Rules, and updates to the Strategic Plan for the Federal Judiciary.

RECENT HIGHLIGHTS

Publication of the 2024 Report by the Federal Judicial Center and National Academy of Public Administration on the study of workplace conduct policies and processes

Beginning in 2023, the Federal Judicial Center (FJC) partnered with the National Academy of Public Administration (NAPA) to conduct an independent study of the Judiciary’s workplace conduct policies and processes. The study assessed how courts implement EDR Plans, promote employee awareness, and ensure fair and effective processes for addressing workplace concerns. It also explored options to institutionalize such capacity within the Judiciary to ensure continued and consistent attention to instances of workplace misconduct in the future.

The joint [FJC/NAPA report](#), published in July 2024, recognized both meaningful progress and procedural effectiveness, and identified opportunities for further improvement. The study affirmed the Judiciary’s strong commitment to a safe and respectful workplace and offered a number of options for the branch to consider to further strengthen policies, expand education, and enhance transparency. The Judiciary is actively considering these options.

Publication of the Government Accountability Office’s 2024 Report on the Judiciary’s efforts to prevent and respond to workplace misconduct

In July 2024, the U.S. Government Accountability Office (GAO) released a report that reviewed the actions the Judiciary has taken since 2017 to prevent and respond to workplace misconduct and evaluated the extent to which the Judiciary’s Model EDR Plans and related practices align with the recommended practices of the Equal Employment Opportunity Commission (EEOC).

The GAO found that the Judiciary’s workplace policies generally align with EEOC best practices, while also identifying opportunities for further alignment. The GAO report included eight recommendations for the Judiciary to consider, including expanded data collection and additional steps to measure and evaluate its policies and practices. The Judiciary is actively considering these recommendations.

Expanded Points of Contact to Help Employees, Managers, and Judges Address Workplace Conduct Concerns

At the national level, the Office of Judicial Integrity (OJI) includes three full time position, including the Judicial Integrity Officer and Deputy Judicial Integrity Officer. Each of the 13 federal circuits employs a Director of Workplace Relations (DWR), with several circuits employing Deputy DWRs and other support staff. At the local level, every court and employing office designates and trains at least one primary and one alternate EDR Coordinator.

Altogether, the Judiciary has nearly 500 designated professionals across national, circuit, and local levels providing confidential guidance on workplace conduct concerns, as well as supporting various training and programmatic efforts. See Appendix B.

Expanded Capacity and Expertise for Conducting Workplace Investigations

To ensure fair and impartial handling of workplace concerns, the Judiciary has cultivated investigative expertise across the branch and expanded capacity for conducting workplace investigations, with training and support coordinated through the OJI.

The OJI provides professional support for local courts and employing offices, conducting workplace investigations and providing guidance to help improve investigative practices across the Judiciary. Recognizing the need for consistent and effective investigations nationwide, the OJI developed the Judiciary’s National Workplace Conduct Investigations Training Program, which has now certified trained investigators in virtually every circuit. These trained investigators, alongside circuit DWRs and the staff at the OJI, provide the capacity and expertise to support chief judges, court unit executives, and presiding judicial officers with prompt, effective, and professional investigative support to address alleged workplace misconduct.

Expanded Education and Training on Workplace Rights and EDR Options

The Judiciary continued to expand its workplace conduct-related education and training efforts in 2024 through in-person and virtual programs offered at the national, circuit, and local levels, as well as through online programs available on-demand.

National EDR training, conducted virtually by the OJI, was attended by thousands of Judiciary employees, managers, and judges across the branch. This training supplemented training offered at the circuit and local levels.

Circuit DWRs continued to lead and participate in various workplace-related programs and EDR trainings, both nationally and within their circuits. The FJC supplemented these programs with other training opportunities and resources relating to topics such as civility and management skills (offered to judges, court unit executives, and supervisors).

The Judiciary also continued to engage in outreach efforts to law schools to reach future lawyers interested in joining the Judiciary as law clerks or other legal professionals. The programs focused on increasing awareness and ensuring that new and prospective Judiciary employees understand their options and resources.

PART I: ENFORCEABLE WORKPLACE PROTECTIONS AND STRINGENT STANDARDS OF CONDUCT

WORKPLACE RIGHTS AND PROTECTIONS

The [Strategic Plan for the Federal Judiciary](#) underscores the commitment to a workplace where every employee is treated with dignity and respect, and free from discrimination, harassment, retaliation, and abusive conduct. This commitment is sustained through implementation of national policies, internal procedures, and application of certain federal laws that establish high standards of conduct, enforceable workplace protections, and multiple mechanisms for seeking accountability and redress for wrongful conduct.

Ethical standards are codified in the [Code of Conduct for United States Judges](#), [Code of Conduct for Judicial Employees](#), and [Code of Conduct for Federal Public Defender Employees](#), which set high expectations for professional behavior. Specific workplace protections are codified in the EDR Plans adopted at the FPDO, local court, and circuit levels. Judiciary policies provide employees with important rights and protections, including:

Protection from Abusive Conduct. Judges and Judiciary employees are prohibited from engaging in abusive conduct, defined as “a pattern of demonstrably egregious and hostile conduct not based on a Protected Category that unreasonably interferes with an Employee’s work and creates an abusive working environment.”

Protection from Unlawful Discrimination and Harassment. Judiciary policy prohibits discrimination and harassment that would violate Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, and the Rehabilitation Act of 1973. Protected categories include race, color, sex, gender, gender identity, pregnancy, sexual orientation, religion, national origin, age (40 years and over), and disability.

Protection from Retaliation. Judges and Judiciary employees are prohibited from engaging in intimidation, retaliation, or discrimination against employees who exercise their employment rights or report or oppose wrongful conduct.

Reasonable Accommodations for Persons with Disabilities. Judiciary policy requires employing offices to provide reasonable accommodations for employees consistent with the Americans with Disabilities Act of 1990.

Family and Medical Leave. Covered employees (those covered by the Annual and Sick Leave Act and who meet the eligibility requirement of one year of current or prior federal service) are entitled to protections under the Family and Medical Leave Act of 1993 (FMLA) when they need leave for their serious health conditions or those of close family members, or for the birth, adoption, or foster care placement of a child.

Protection for Whistleblowers. The Judiciary’s whistleblower protection policy prohibits retaliation against an employee who reasonably and in good faith reports waste, fraud, and abuse; violations of laws, regulations and rules; other conduct that constitutes gross mismanagement; or threats to public health or safety.

Members of the Uniformed Services. Employees who also serve in the uniformed services are protected from employment discrimination and are provided certain reemployment rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Hazard-Free Workspaces. Employing offices must comply with occupational safety and health standards and provide workplaces free of certain hazards as provided in the Occupational Safety and Health Act of 1970 (OSHA).

Office Closings and Mass Layoffs. Under certain circumstances, employees must be notified of an office closing or of a mass layoff at least 60 days in advance of the event as provided under the Worker Adjustment and Retraining Notification (WARN) Act.

Polygraph Testing Prohibition. Judiciary policy prohibits the use of polygraph testing of employees consistent with the Employee Polygraph Protection Act of 1998 (EPPA).

Together, these protections and ethical standards foster a Judiciary workplace that is safe, fair, and exemplary for all. As noted above, accountability and enforcement of the various workplace rights and protections occur at the local and circuit levels through the processes and procedures adopted in local EDR plans according to the Model EDR Plans approved by the Judicial Conference.

EMPLOYMENT DISPUTE RESOLUTION (EDR) PLANS

The Judicial Conference approved a substantially revised [Model EDR Plan](#) in 2019 to provide the foundational policies and processes for enforcing workplace protections across the Judiciary. In 2021, it approved the [Model FPDO EDR Plan](#), tailored to address the unique responsibilities and workplace environments of Federal Public Defender Organizations (FPDOs), including their obligation to safeguard client interests.

Judiciary policy requires every federal court to adopt a local EDR plan based on the Model EDR Plan and authorizes FPDOs to adopt plans based on the Model FPDO EDR Plan. The Model EDR Plans provide circuits and courts the discretion to make modifications to the Plan they implement at the local or circuit level but state that modifications should not limit or curtail the rights afforded under the model plans. Any local plan that is modified from the model must then be approved by the circuit's judicial council. By the end of 2023, all federal courts and FPDOs had implemented EDR Plans based on the Model EDR Plans approved by the Judicial Conference.

CODES OF CONDUCT

The Judiciary holds its employees and judges to high ethical standards, which, among other purposes, serve to foster respect, civility, and professionalism in the workplace. In March 2019, the Judicial Conference approved numerous amendments to the [Code of Conduct for United States Judges](#) and the [Code of Conduct for Judicial Employees](#) clarifying the ethical duties of judges and employees relating to workplace conduct. Similar amendments were made to the [Code of Conduct for Federal Public Defender Employees](#) in March 2020.

As amended, the Judiciary's codes of conduct make clear that a judge or employee's official duties include demonstrating respect and civility in the Judiciary workplace. For judges, under Canons 2A, 3, and 3B and the related commentary of the [Code of Conduct for United States Judges](#), this includes a duty to refrain from engaging in specific forms of judicial misconduct, as well as refraining from any retaliatory conduct directed at anyone who reports wrongful conduct. The [Code of Conduct for United States Judges](#) also provides that judges should take appropriate action to address concerns of wrongful conduct brought to their attention, even if the judge is not in a supervisory role with respect to the alleged wrongdoer.

For Judiciary employees, including FPDO employees, similar duties are set forth in Canon 3C of the applicable codes of conduct, which provide that an employee "should be patient, dignified,

respectful, and courteous to all persons with whom the [] employee deals in an official capacity, including other employees and the general public.” Judiciary employees, like federal judges, also have a duty under the relevant code to take appropriate action to address potential violations of the codes of conduct.

To further encourage reporting of workplace conduct concerns, the Judicial Conference approved amendments in 2019 to clarify the confidentiality provisions in Canon 3D of the various codes of conduct. Canon 3D now makes clear that the general confidentiality obligations and restrictions on disclosure of certain workplace information do not prevent an employee or former employee (including law clerks) from reporting or disclosing misconduct, including sexual or other forms of harassment, by a judge, supervisor, or other person.

PART II: ACCOUNTABILITY FOR WRONGFUL CONDUCT IN THE WORKPLACE

The [Strategic Plan for the Federal Judiciary](#) underscores accountability as one of the branch’s fundamental values. To uphold this value, the Judiciary has established multiple processes to ensure accountability for wrongful conduct in the workplace. Employing offices may address workplace concerns through local resolution efforts outside of or prior to an employee initiating formal EDR procedures. In addition, employees have the right to seek formal relief and remedies through their court or office’s EDR Plan, which ensures responsiveness and provides options for redress.

While EDR processes ensure an employing court or office is held accountable by providing employees with an avenue to seek remedies if they experience wrongful conduct, accountability for the particular individual(s) who engage in such misconduct is equally critical. The processes for individual accountability – which are separate from EDR – depend on whether the individual accused of misconduct is a judge or a Judiciary employee.

If a Judiciary employee is found to have engaged in wrongful conduct, their supervisory or hiring authority determines appropriate action based on the nature of the conduct. This may include personnel actions such as a formal reprimand, suspension, or demotion, up to termination for the most egregious incidents or repeat offenses.

The Judicial Conduct and Disability Act of 1980 (28 U.S.C. §§ 351–364) establishes the procedures for addressing allegations that a federal judge engaged in “conduct prejudicial to the effective and expeditious administration of the business of the courts” or has become, by reason of a mental or physical disability, “unable to discharge all the duties” of the judicial office.

Proceedings under the JC&D Act are governed by the [JC&D Rules](#), which are notably distinct from the procedural rules for EDR proceedings. For example, anyone, not just Judiciary employees, may file a written JC&D complaint against a federal judge, and once a complaint is filed, it triggers a formal process for determining whether the subject judge committed judicial misconduct as defined by the JC&D Rules.

The JC&D Rules also provide for transparency in how complaints are adjudicated. When final action has been taken on a complaint, all orders entered by the chief judge or circuit judicial council must be made public. While the consideration of JC&D complaints is required by statute to be confidential, with limited exceptions for information that can be publicly disclosed per the JC&D Act and JC&D Rules, once final action has been taken on a complaint, a public order is issued explaining the disposition of the complaint and the reasons. Links to each circuit’s public

orders and decisions in JC&D matters are available on the uscourts.gov website. To further promote transparency, the Judiciary also publishes statistical data on JC&D matters, which is available on uscourts.gov.⁴

CONFIDENTIAL REPORTING AND LOCAL RESOLUTION OUTSIDE OF EDR

A key component of Judiciary workplace policies is encouraging employees to report concerns early, before they escalate or become pervasive. Anyone experiencing, witnessing, or learning of misconduct can report it. In cases of serious conduct, early reporting allows chief judges, federal public defenders, or court unit executives to implement interim measures—such as alternative work arrangements or temporary reassignment—while investigations and other corrective actions proceed. For less severe issues that may not rise to the level of wrongful conduct, early reporting supports prompt resolution outside of the formal EDR processes, helping to prevent escalation and restore professional relationships quickly.

To facilitate trust and flexibility, employees may confidentially share concerns with designated individuals at local, circuit, or national levels, either within or outside their immediate chain of command or their employing court or office, depending on their preference. Additionally, the OJI maintains an anonymous reporting portal on the Judiciary’s internal website. Anonymous reports can then be shared with the relevant chief judge, federal public defender, or other court unit executive for appropriate action while still preserving the reporting individual’s anonymity.

If reliable information indicates potential wrongful conduct, Judiciary policy requires that court and office leadership—including judges, court unit executives, and supervisors—take appropriate action regardless of whether the employee utilizes a formal EDR process. If leadership fails to address reliable reports of wrongful conduct outside of the EDR process, EDR options—including filing a formal complaint—remain available to employees to pursue relief or remedies from their employing office.

EMPLOYING OFFICE ACCOUNTABILITY AND USE OF JUDICIARY EDR PROCESSES

When a court unit or employing office fails to uphold workplace protections as required under Judiciary policies, affected individuals—including current or former employees and interviewed applicants—may initiate an EDR matter to hold the office accountable and seek relief. As such, every court unit or employing office must ensure enforcement of the substantive workplace rights provided by their adopted EDR Plan.

The Model EDR Plans approved by the Judicial Conference in 2019 and 2021 provide employees with multiple options for initiating an EDR matter: they can request Assisted Resolution and/or file a Formal Complaint.

Assisted Resolution is a flexible, less formal and less confrontational process that may involve various approaches depending on the circumstances, including facilitated discussions, preliminary investigations, or voluntary mediation led by experienced mediators (such as circuit mediators or magistrate judges). Temporary interim relief—like alternate work arrangements—may also be granted during this process if needed to protect the employee during the pendency of

⁴ The data identifies, among other things, aggregated national and circuit data on the number of complaints filed, the types of complainants, the nature of the allegations raised in the complaints, and action taken on complaints.

an EDR matter. If the Request for Assisted Resolution does not resolve the issues raised, employees may still file a Formal Complaint in accordance with their respective EDR Plan.

A **Formal Complaint** is a formal administrative proceeding overseen by a Presiding Judicial Officer (PJO), a federal judge appointed by the relevant chief judge. The PJO manages any necessary investigations, discovery, and/or hearings necessary to adjudicate the complaint and ultimately issues a written decision. Both parties may have the assistance of attorneys or other representatives throughout the Formal Complaint proceeding. Following a written decision by a PJO, either party may appeal the PJO's decision within 30 days to the circuit judicial council through a written Request for Review of Decision.

PART III: EMPLOYMENT DISPUTE RESOLUTION DATA THROUGH FY 2024

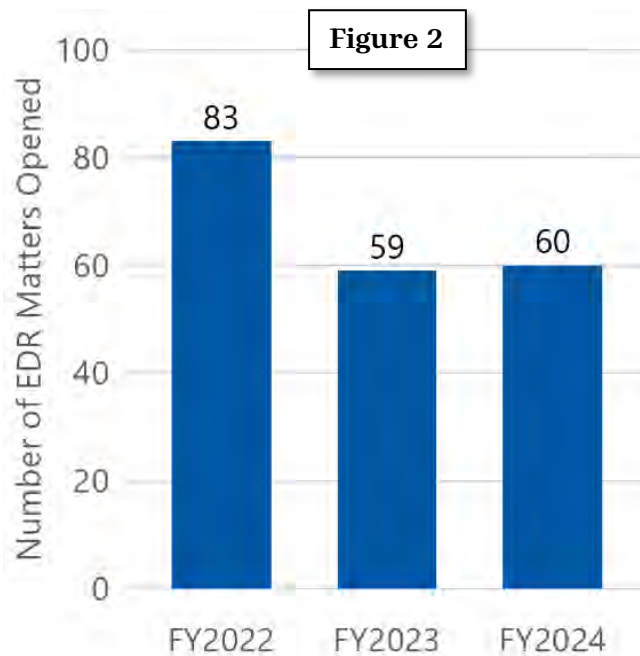
The Judiciary collects anonymized data from each court and employing office regarding employee use of the EDR processes annually, providing a branch-wide snapshot of EDR activity each fiscal year. As described in Parts I and II of this report, Judiciary employees have protections against various forms of wrongful conduct and multiple options under their court or office’s EDR Plan to address alleged violations of those protections.

An individual EDR matter can involve one or more of the available process options: it may be initiated by and resolved after Assisted Resolution; it may begin with the filing of a Formal Complaint; or it could proceed from an Assisted Resolution into a Formal Complaint. Employees also have the right to request a Review of Decision (Appeal) if they disagree with the Formal Complaint decision.

TOTAL NUMBER OF EDR MATTERS INITIATED BY FISCAL YEAR

As shown in **Figure 2**, a total of 202 EDR matters were opened between FY 2022 and FY 2024. This figure shows all EDR matters initiated each fiscal year, whether the matter began through a Request for Assisted Resolution or in the filing of a Formal Complaint.

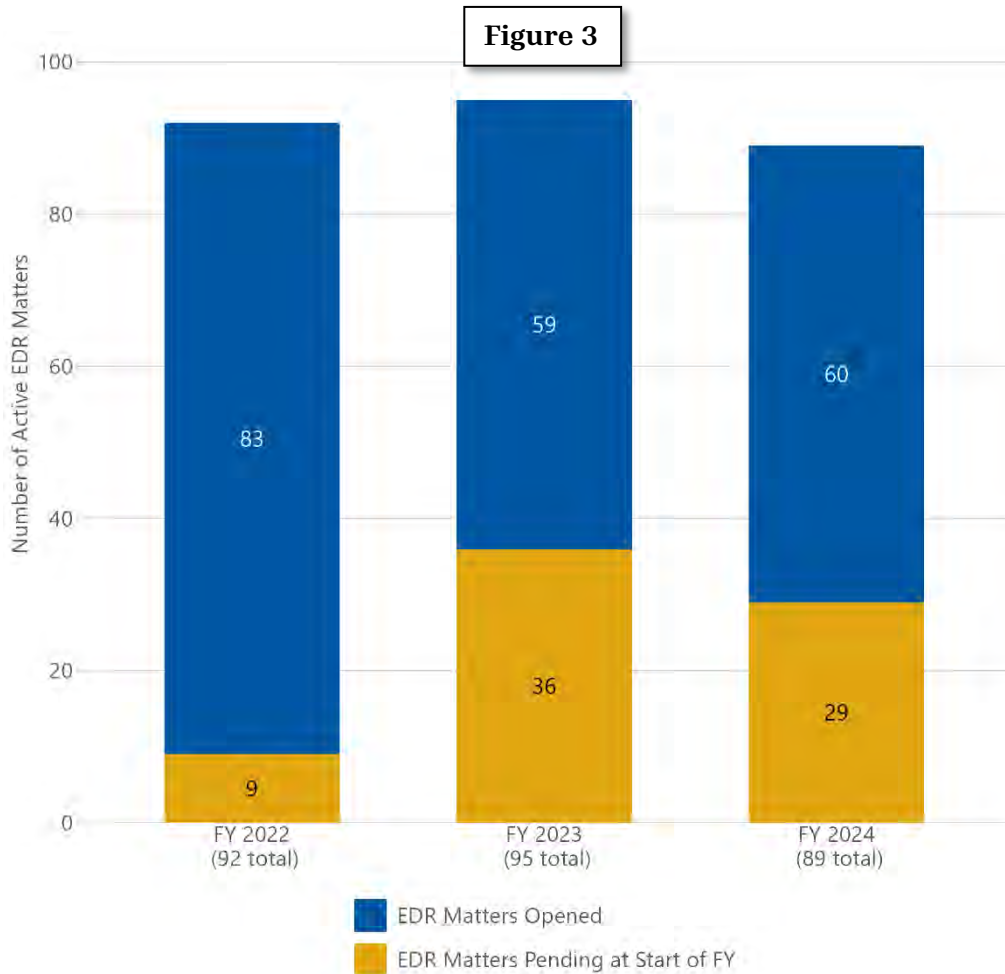
Figure 2 shows a decrease in the total number of EDR matters opened in FY 2023 and FY 2024 compared to FY 2022,⁵ with the higher number of matters initiated in FY 2022 (83) potentially coinciding with the challenges associated with employees returning to the workplace following the COVID-19 pandemic.⁶



⁵ In the 2023 Annual Report on the Judiciary Workplace, 58 EDR matters were reported as opened in FY 2023. After publication of that report, one additional matter was identified for FY 2023 and is now included in this report.

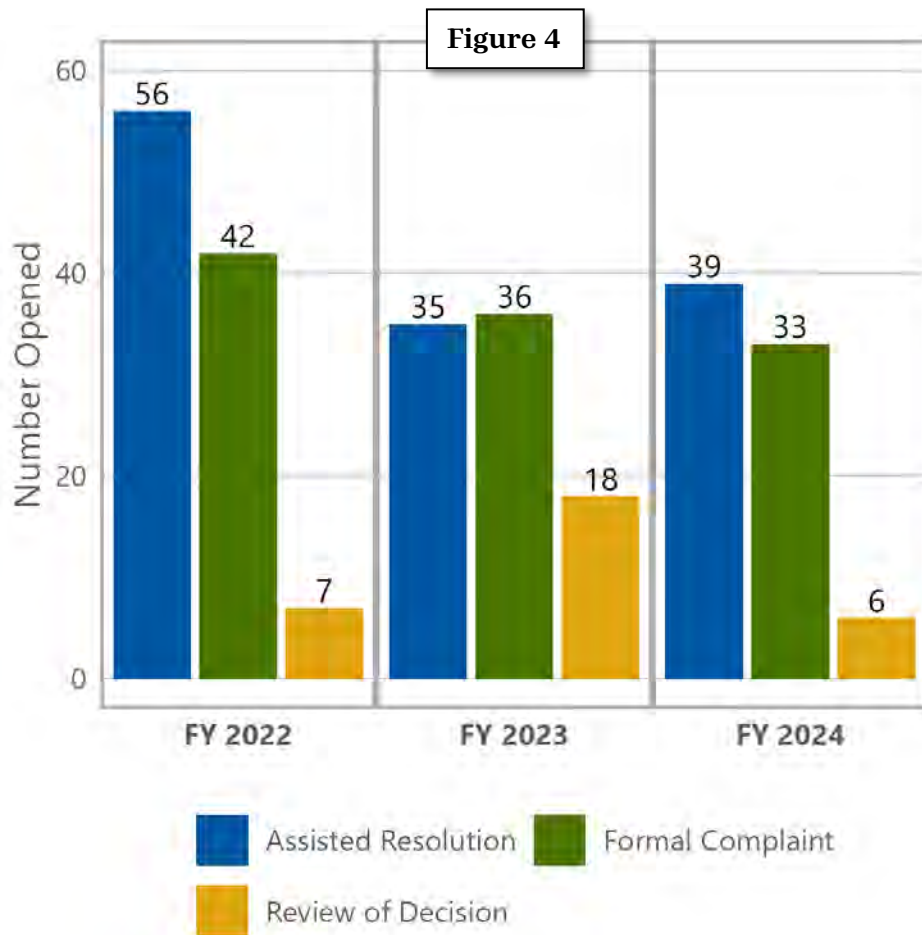
⁶ For reference, and as reported in last year’s Annual Report, there were 37 EDR matter opened in FY 2021.

The total volume of EDR matters year-to-year has remained fairly consistent. **Figure 3** shows that from FY 2022 through FY 2024, between 89 and 95 EDR matters were active in any given fiscal year. In FY 2022, there were 92 active EDR matters across the Judiciary – 9 matters pending resolution at the start of FY 2022 and an additional 83 EDR matters opened in FY 2022. In FY 2024, by comparison, there were 89 active EDR matters – 60 EDR matters opened in FY 2024 and 29 EDR matters pending resolution at the start of FY 2024.



EDR MATTERS BY TYPE OF PROCESS OPTION USED

As noted above, an EDR matter may include one or more processes. In addition to the right to seek Informal Advice at any time from one or more confidential resource, employees may request an Assisted Resolution, file a Formal Complaint, and, following a decision on a Formal Complaint, submit a Request for Review of Decision (appeal). **Figure 4** illustrates the frequency with which each of these processes was utilized during the last three fiscal years.⁷ In total, between FY 2022 and FY 2024, overall EDR activity consisted of 130 Requests for Assisted Resolution, 111 Formal Complaints, and 31 Requests for Review of Decision.⁸



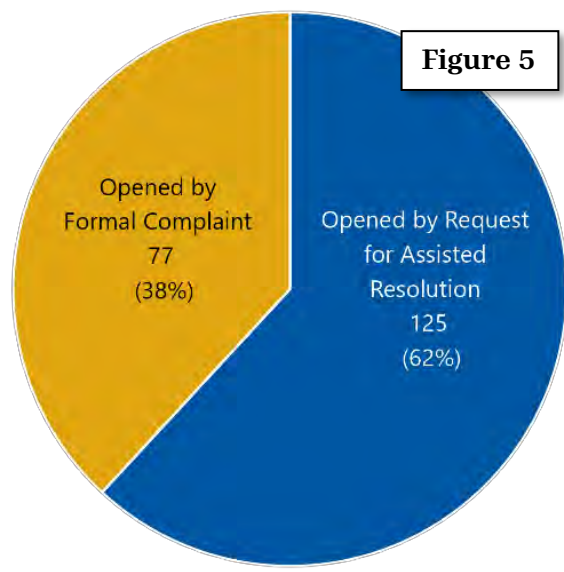
Use of the Formal Complaint option remained fairly consistent with only a slight decrease in the number of complaints filed, from 36 in FY 2023 to 33 in FY 2024. The number of Requests for

⁷ The data in **Figure 4** is based on the fiscal year in which the particular EDR process was requested/filed and not the fiscal year in which the EDR matter was opened. For example, an EDR matter could be opened in FY 2022 by requesting Assisted Resolution, which could be followed by a Formal Complaint filed in FY 2023, and a Review of Decision requested in FY 2024. Those EDR processes would be reflected in the data for the year they were requested – FY 2022 for the Assisted Resolution, FY 2023 for the Formal Complaint, and FY 2024 for the Review of Decision.

⁸ The number of Assisted Resolutions, Formal Complaints, and Reviews of Decision when aggregated exceeds the total number of EDR matters opened during this period because each of the 202 EDR matters may include one or more of these EDR processes.

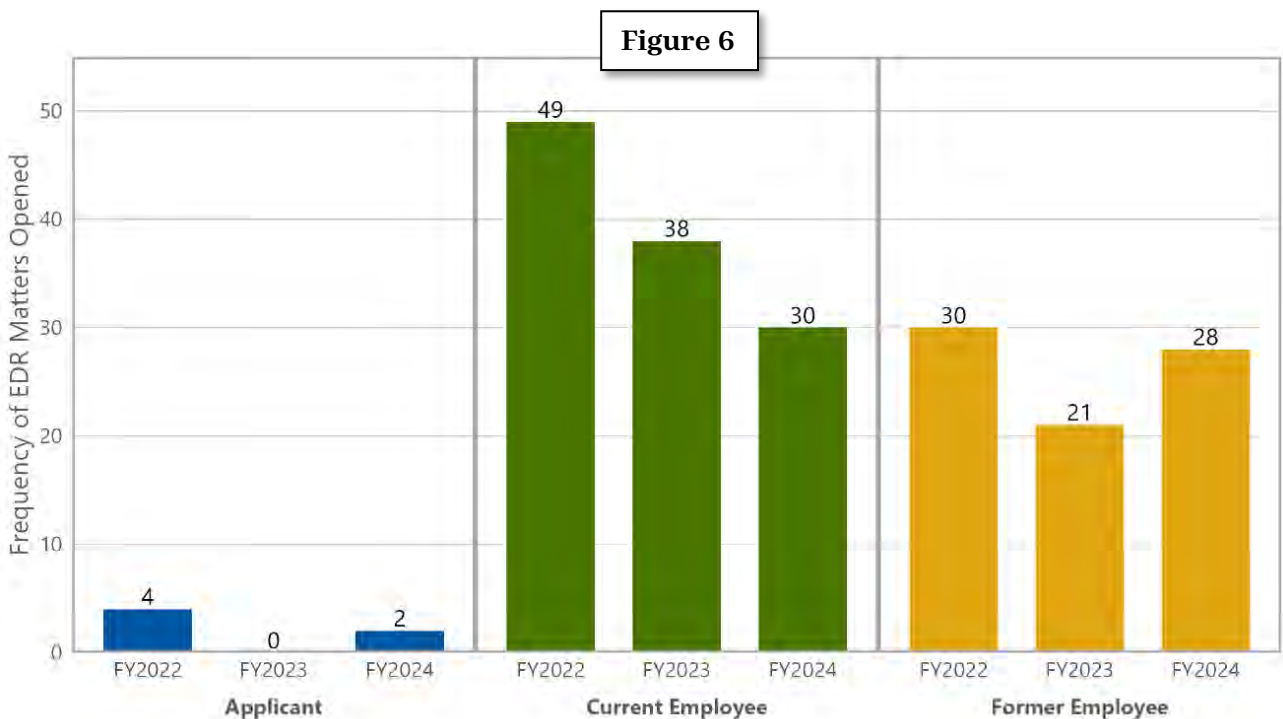
Review of Decision, however, decreased significantly from FY 2023 (18) to FY 2024 (6), potentially a result of a larger volume of EDR matters in FY 2023 that were first opened in FY 2022 (83). Overall, these trends may reflect the positive impact of expanded outreach, training, and resources, which have strengthened employees' understanding of their options and reinforced the Judiciary's emphasis on fairness, accountability, and respect in the workplace.

As shown in **Figure 5**, the Assisted Resolution process, designed to encourage early and more collaborative problem-solving, continues to play a central role in addressing and resolving workplace disputes. Consistent with the observations of the Workplace Conduct Working Group, which noted employees' desire for less formal and more flexible options for resolving workplace disputes, Assisted Resolution was used to initiate 62 percent of all EDR matters opened between FY 2022 and FY 2024 (125 of 202 matters).

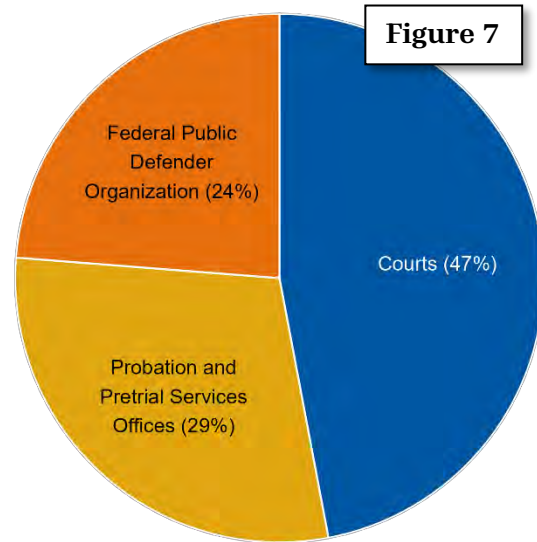


USE OF THE EDR PROCESSES BY TYPE OF EMPLOYEE

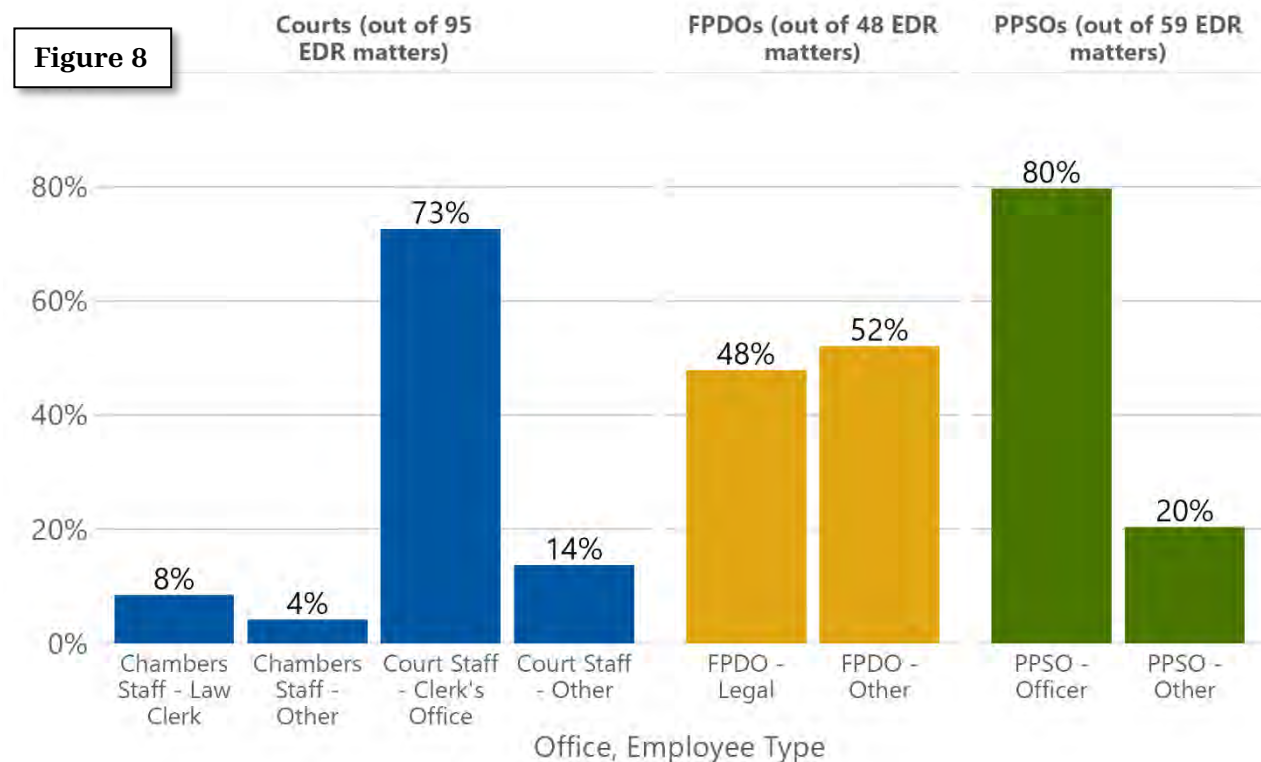
Under Judiciary policy, current and former employees, as well as applicants who have been interviewed for employment, may use the EDR processes to seek relief from their employing office for alleged wrongful workplace conduct. As illustrated in **Figure 6**, of the 202 total EDR matters opened between FY 2022 and FY 2024, 58 percent were initiated by current Judiciary employees, 39 percent by former employees, and three percent by applicants.



For EDR purposes, Judiciary employing offices fall into three main categories: courts (including judges' chambers),⁹ probation and pretrial services offices (PPSOs), and federal public defender organizations (FPDOs). **Figure 7** shows that the plurality of responding offices in EDR matters were courts (47%), followed by PPSOs (29%), and FPDOs (24%).¹⁰



As reflected in **Figure 8**, within the courts, clerk's office employees initiated the majority (73%) of EDR matters, followed by chambers staff (12%) and other court employees or appointees (14%). In PPSO-related matters (59 total), 80 percent were brought by probation or pretrial services officers, and 20 percent by other PPSO staff. For FPDO-related matters (48 total), roughly half were initiated by legal staff (e.g., assistant federal public defenders and research and writing attorneys), while the other half were initiated by non-legal or administrative staff.

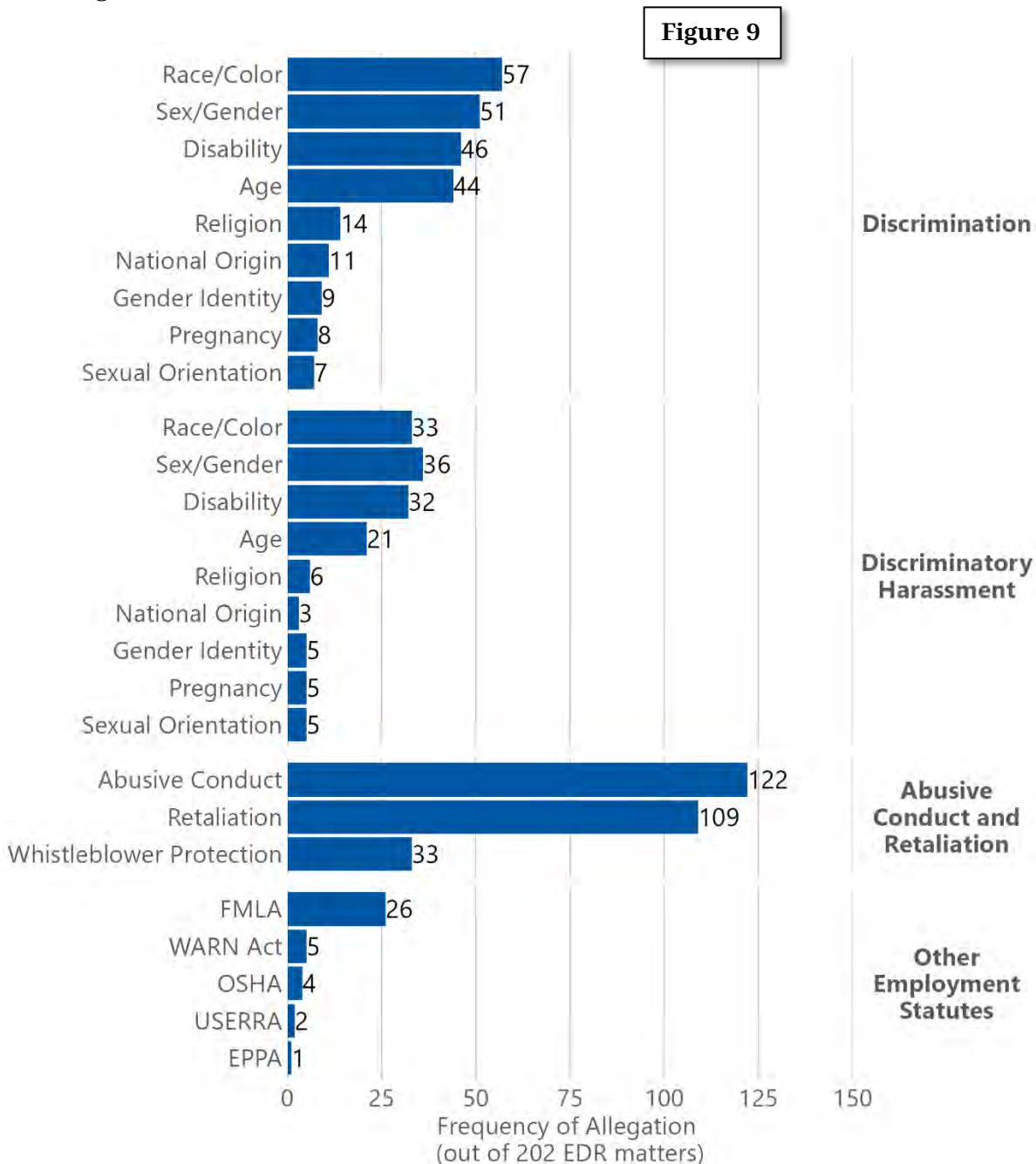


⁹ Because EDR matters are not initiated against individuals but against employing offices, the Model EDR Plan provides that, for chambers staff, the employing office is the court and not the individual judge employing the chambers staff.

¹⁰ The data relating to the job category of "FPDO-Other" includes one FPDO matter in which the job category was not reported. Additionally, the data relating to job category of "Court Staff-Other" includes one matter filed by a candidate for judicial appointment who, by policy, is ineligible to use the EDR process.

FREQUENCY OF ALLEGED WRONGFUL CONDUCT BY CATEGORY

Judiciary employees are protected from multiple categories of wrongful conduct, and a single matter may include multiple allegations.¹¹ **Figure 9** shows the prevalence of specific types of alleged wrongful conduct, including the bases for alleged discrimination and discriminatory harassment, according to how frequently they were raised in individual EDR matters from FY 2022 through FY 2024.



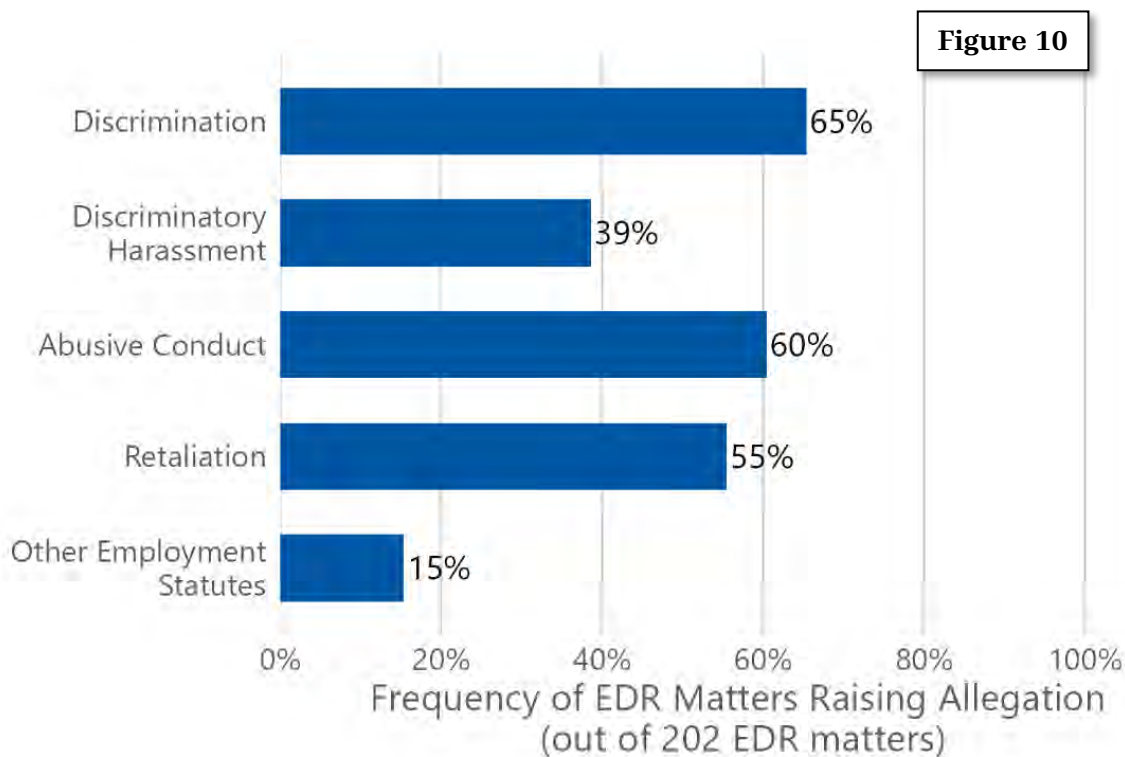
¹¹ Because Judiciary policy allows individual courts and employing offices to expand workplace protections beyond what is provided in the Model EDR Plans, some adopted EDR Plans may also recognize additional protected categories or forms of wrongful conduct.

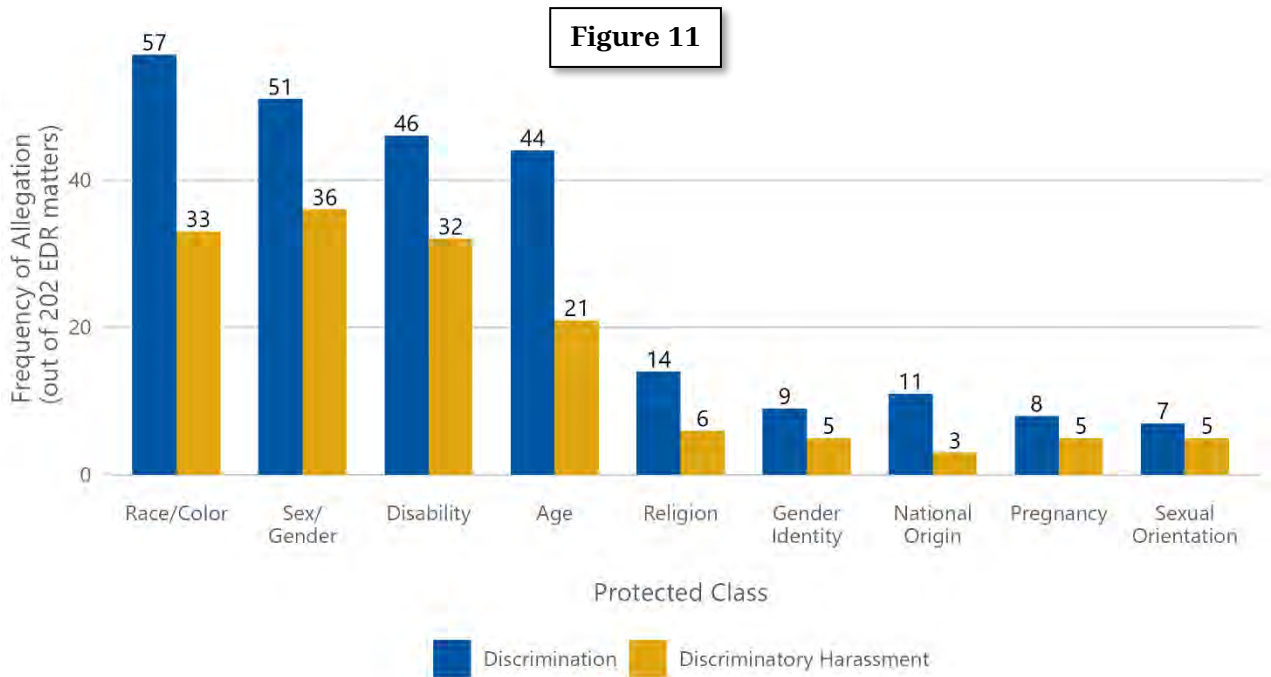
As shown in **Figure 9**, abusive conduct was the most frequently alleged form of wrongful conduct, appearing in 60 percent of all EDR matters (122 of 202). Providing formal avenues through EDR to address abusive conduct—a workplace protection not provided under federal employment discrimination laws but approved as binding policy by the Judicial Conference in 2019—reflects the Judiciary’s strong commitment to promoting civility, respect, and accountability across the Judiciary workplace and holding both judges and employees to the highest standards of professionalism.

The second most common allegation during this period was retaliation, raised in 54 percent of EDR matters (109 of 202). Discrimination based on race or color was the most prevalent basis for alleged discrimination, both in the context of alleged employment discrimination and discriminatory harassment.

Another way to analyze this data is by the general categories of wrongful conduct. When aggregated across all protected categories, discrimination remained the most frequently raised type of claim in EDR matters. Between FY 2022 and FY 2024, 65 percent of all EDR matters (132 of 202 total matters) included at least one allegation of discrimination based on a protected category, while 39 percent (78) included at least one allegation of discriminatory harassment.

As illustrated in **Figures 10 and 11**, discrimination claims overall were more common than discriminatory harassment claims, with race and color discrimination being the most frequently cited forms of discrimination, raised in 41 percent of all EDR matters (82 of 202). For discriminatory harassment, the most common basis was harassment based on sex or gender, followed by harassment based on race or color and disability.



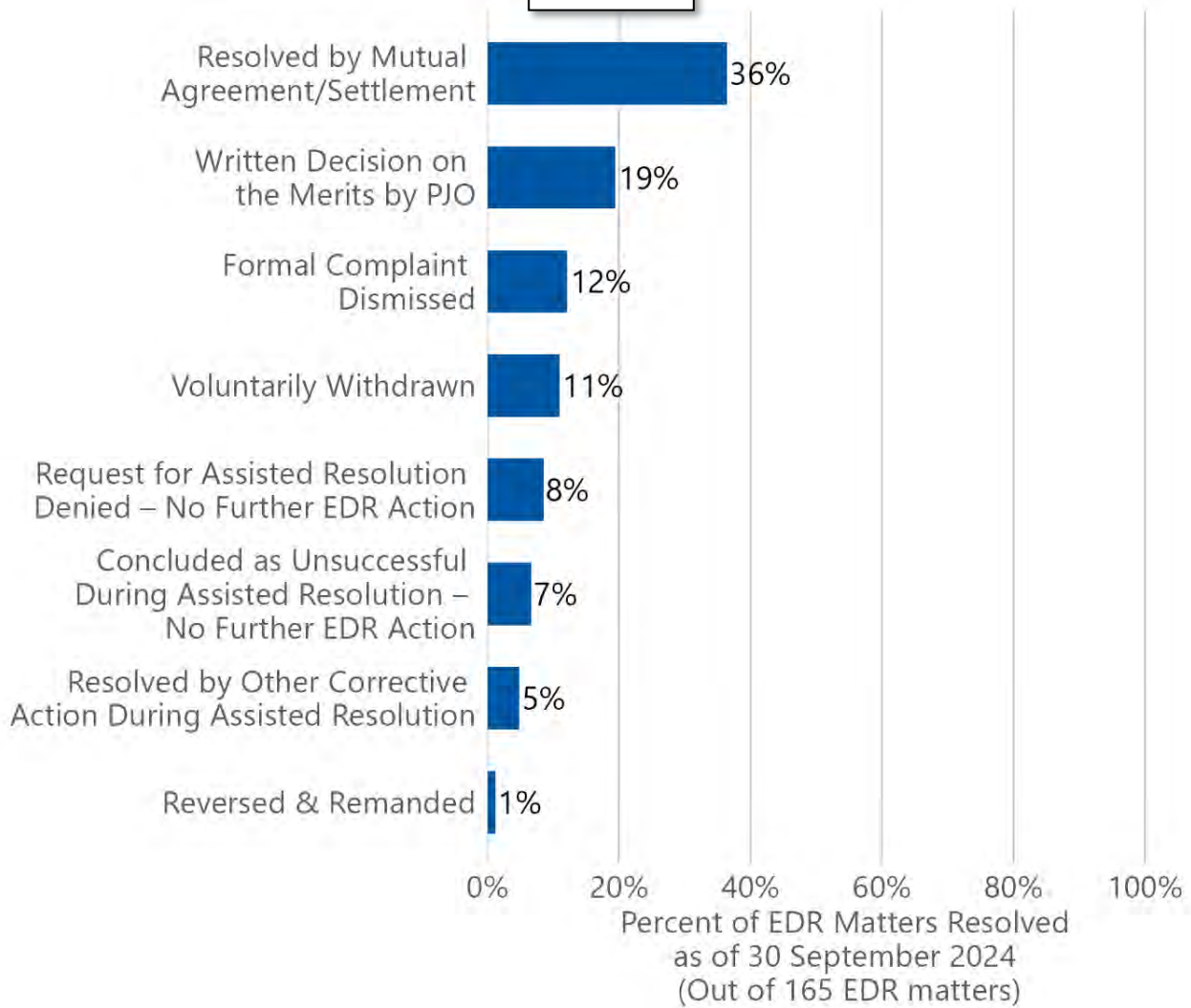


EDR MATTERS BY RESOLUTION OUTCOMES

By the end of FY 2024, 165 of the 202 EDR matters opened between FY 2022 and FY 2024 had been successfully concluded. As shown in **Figure 12**, the most common and constructive outcome was a mutual resolution or written settlement agreement, reached to the satisfaction of both parties.¹² Mutual resolutions and settlements may occur at any stage of the EDR process, including during Assisted Resolution or a Formal Complaint proceeding, allowing concerns to be addressed promptly and constructively. As shown in **Figure 12**, this outcome accounted for 36 percent of all concluded matters, underscoring the EDR process’s strong capacity to help employees and employing offices collaboratively resolve workplace disputes and conduct concerns.

¹² The data in Figure 12 represents percentages out of the 165 EDR matters that were resolved as of September 30, 2024.

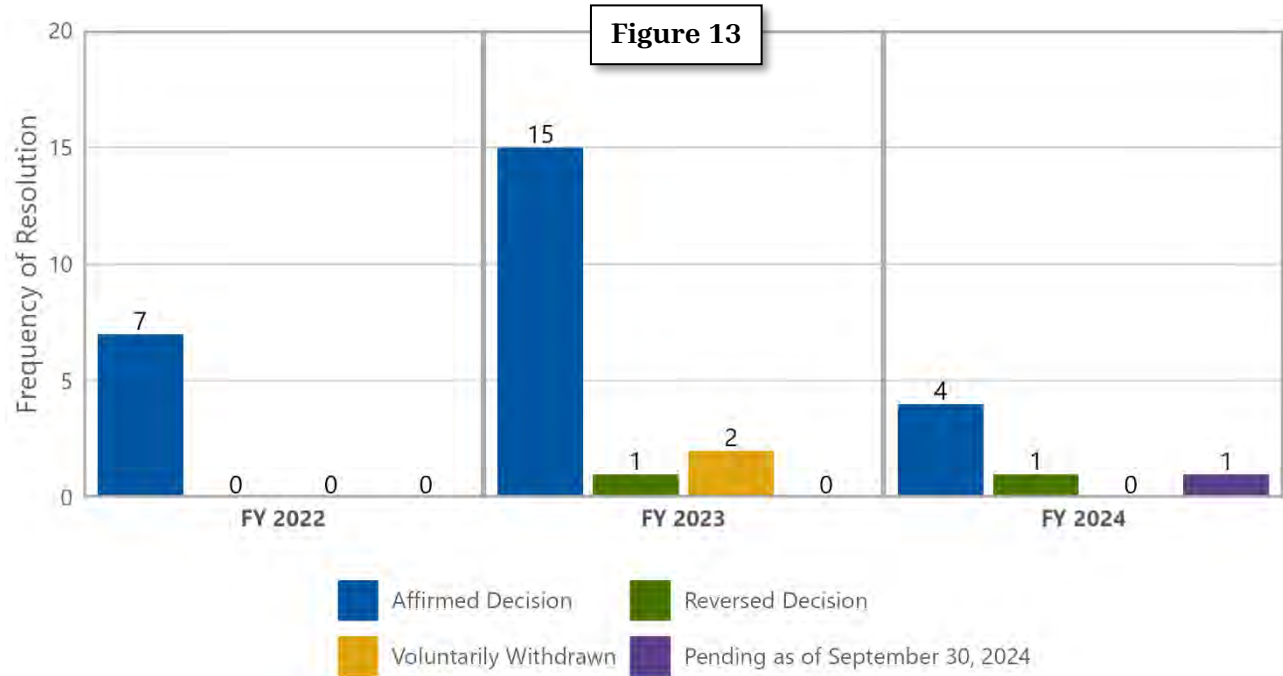
Figure 12



While most matters were resolved by mutual agreement, others were concluded in different ways. Some were closed through corrective or other actions taken by the employing office (5%), claims being voluntarily withdrawn by an employee (11%), or unsuccessful Assisted Resolutions where the parties could not reach agreement (7%). Additionally, Requests for Assisted Resolution may be denied or Formal Complaints dismissed under the Model EDR Plan on specific grounds, such as when the conduct alleged falls outside EDR’s scope or the complaint is not filed within applicable time limits.¹³

¹³ If a Request for Assisted Resolution is denied, the complainant may still proceed to file a Formal Complaint.

Of the matters that resolved through a formal decision on the merits, as shown in **Figure 13**, between FY 2022 and FY 2024, there were 31 Requests for Review of Decision (appeal). Of those 31 Reviews of Decision, 26 resulted in the original decision being affirmed, two were reversed and remanded, two were withdrawn, and one remained pending as of the end of FY 2024.



APPENDIX A: JUDICIAL CONFERENCE ACTIONS RELATING TO WORKPLACE CONDUCT

- **FEBRUARY 2018:** Acting on an expedited basis on behalf of the Judicial Conference, the Executive Committee rescinded the Judiciary’s Model Confidentiality Statement for review and revision to clarify that it does not prevent any Judiciary employee from revealing or reporting workplace conduct concerns, including sexual or other forms of harassment, by a judge or any other person. *See* JCUS-MAR 2018, p. 5.
- **SEPTEMBER 2018:** The Judicial Conference approved revisions to the existing Model EDR Plan to: (1) include protections for paid and unpaid interns and externs; and (2) extend the time for initiating an EDR Formal Complaint from 30 days to 180 days of the alleged violation or the time the employee becomes aware of the alleged violation. *See* JCUS-SEP 2018, pp. 29-30.
- **MARCH 2019:** The Judicial Conference approved amendments to the *Code of Conduct for United States Judges* to clarify, among other things, that judges should neither engage in, nor tolerate, workplace conduct that is reasonably interpreted as harassment (including unlawful discrimination), abusive conduct, or retaliation for reporting such conduct. Amendments were also approved providing that a judge should take appropriate action upon receipt of reliable information indicating the likelihood that a judge’s or judicial employee’s conduct contravenes the applicable code. *See* JCUS-MAR 2019, pp. 12-13. *See also* Appendix C.
- **MARCH 2019:** The Judicial Conference approved amendments to the *Code of Conduct for Judicial Employees* consistent with amendments to the *Code of Conduct for United States Judges* with respect to workplace conduct and taking appropriate action upon receipt of reliable information indicating a likelihood of conduct contravening the code. The amendments also clarified that the duty of confidentiality does not prevent a judicial employee from reporting or disclosing concerns of wrongful workplace conduct by a judge, supervisor, or other person. *See* JCUS-MAR 2019, pp. 12-13. *See also* Appendix C.
- **MARCH 2019:** The Judicial Conference approved revisions to the JC&D Rules to clarify, among other things, that: (1) abusive conduct, harassment, discrimination, and retaliation constitute cognizable judicial misconduct; (2) failing to call to the attention of the relevant chief district judge or chief circuit judge any reliable information reasonably likely to constitute judicial misconduct or disability is also cognizable judicial misconduct; and (3) traditional judicial “standing” rules do not apply to the JC&D complaint process. *See* JCUS-MAR 2019, pp. 25-26. *See also* Appendix D.
- **SEPTEMBER 2019:** The Judicial Conference approved a revised Model EDR Plan that recognized abusive conduct as form of wrongful conduct in the workplace, included more flexible dispute resolution processes, and provided clearer language. *See* JCUS-SEPT 2021, pp. 21-22.
- **MARCH 2020:** The Judicial Conference approved amendments to the *Code of Conduct for Federal Public Defender Employees* consistent with the amendments approved for the *Code of Conduct for Judicial Employees*. *See* JCUS-MAR 2020, p. 8. *See also* Appendix C.

- **MARCH 2020:** Acting on an expedited basis on behalf of the Judicial Conference, the Executive Committee approved exceptions to the Judiciary’s human resources policies to facilitate local efforts to resolve specific workplace conduct matters. *See JCUS-MAR 2020, p. 6.*
- **SEPTEMBER 2020:** The Judicial Conference approved updates to the core value strategies and supporting goals in the *Strategic Plan for the Federal Judiciary*, which included updates related to workplace conduct. *See JCUS-SEP 2020, pp. 13-14.*
- **SEPTEMBER 2020:** Acting on an expedited basis on behalf of the Judicial Conference, the Executive Committee approved exceptions to the Judiciary’s human resources policies to facilitate local efforts to resolve specific workplace conduct matters. *See JCUS-SEP 2020, p. 15.*
- **SEPTEMBER 2021:** To improve the Judiciary’s efficiency in resolving workplace conduct concerns, the Judicial Conference authorized the Committee on Judicial Resources to grant exceptions to Judicial Conference human resources policy as needed to resolve workplace conduct matters. *See JCUS-SEP 2021, p. 23.*
- **SEPTEMBER 2021:** The Judicial Conference approved a Model FPDO EDR Plan to tailor the 2019 Model EDR Plan to FPDOs by clarifying language and adding provisions to address issues specific to the legal services FPDOs provide. *See JCUS-SEP 2021, pp. 23-24.*
- **SEPTEMBER 2022:** The Judicial Conference approved the use of periodic national workplace surveys to be administered by the FJC and designed to protect the anonymity and confidentiality of data collected. *See JCUS-SEP 2022, p. 19.*

APPENDIX B: RESOURCES AND TRAINING FOR JUDICIARY EMPLOYEES, MANAGERS, AND JUDGES

The Judiciary provides employees with a broad range of resources and reporting options to address workplace conduct concerns through a comprehensive network of professionals at the national, circuit, and local levels. This network—which includes the Office of Judicial Integrity (OJI) at the AOUSC, Directors of Workplace Relations (DWRs) in each circuit, and Employment Dispute Resolution (EDR) Coordinators in the local courts and employing offices—is comprised of nearly 500 trained professionals across the branch who can provide confidential advice and guidance, training, and other support to employees, managers, and judges on workplace conduct and EDR matters.

NATIONAL OFFICE OF JUDICIAL INTEGRITY (OJI)

Established in 2019 and housed within the AOUSC, the OJI serves as a branch-wide resource outside court and employing office chains of command for employees, managers, court unit executives, and judges to seek confidential guidance on workplace conduct issues and assistance in resolving EDR matters. At the end of FY 2024, the OJI included three full-time employees.

The OJI provides a range of functions to support the Judiciary’s workplace conduct policies and initiatives, including: providing staff support to various working groups, advisory groups, and Judicial Conference Committees on policy-development efforts; developing and providing various training programs related to workplace conduct; conducting workplace investigations and workplace assessments, coordinating investigative support, and providing investigative consultation for courts and employing offices who are addressing alleged misconduct; annually collecting anonymized data regarding the use of EDR processes; serving as a national repository for all court and office EDR Plans adopted across the Judiciary; and providing related guidance and resources.

CIRCUIT DIRECTORS OF WORKPLACE RELATIONS (DWRs)

Each of the 13 federal circuits employs a Director of Workplace Relations (DWR) to lead circuit-wide efforts to promote an exemplary workplace. Some circuits employ additional staff to support the work of the DWR and circuit initiatives, including Deputy DWRs and workplace relations specialists.

DWRs provide a broad range of services and support, including providing confidential advice and guidance to employees, managers and judges throughout the circuit; assisting judges and court unit executives with implementation of court EDR Plans, fair employment policies, and other workplace initiatives; and conducting regular training regarding workplace protections and EDR processes. Circuit DWRs also provide support to the EDR Coordinators in each of the courts and employing offices within their circuit, ensuring EDR Coordinators complete required certification courses and providing additional training, as well as coordinating circuit-wide meetings and programs specific to the role of EDR Coordinators.

The AOUSC Director also established the DWR Advisory Group in 2020, comprised of all circuit DWRs, as a national advisory body that provides insights and feedback to the Administrative Office on EDR Plan implementation, best practices, and circuit-level programs. This ensures that national policy-making efforts and related initiatives are informed by insights from the local and circuit levels.

LOCAL EMPLOYMENT DISPUTE RESOLUTION (EDR) COORDINATORS

At the local level, EDR Coordinators play a key role in the day-to-day implementation of the Judiciary’s EDR Plans. Every court and employing office designates a primary and alternate EDR Coordinator, who serve as neutral, independent facilitators for employees and managers navigating the EDR processes. EDR Coordinators also can provide confidential advice and locally specific guidance on the EDR processes and help administer resolution procedures under their court or office’s EDR Plan.

Most EDR Coordinators volunteer for this responsibility in addition to their regular duties and are in most cases separate from human resources management. All EDR Coordinators must complete the EDR Coordinator Certification Course, a comprehensive training program that covers wrongful conduct definitions and EDR Coordinator responsibilities for facilitating resolution procedures, ensuring consistent and knowledgeable administration of the Judiciary’s EDR framework.

TRAINING PROGRAMS AND ONLINE RESOURCES

Tailored training and recurring education programs are central to the Judiciary’s efforts to foster an exemplary workplace. The Model EDR Plan requires all courts and employing offices to provide annual training for their employees and judges on workplace protections, employee rights under the EDR Plan, and the various reporting and resolution options. Training is provided by a number of individuals, often by circuit DWRs and/or local EDR Coordinators, with additional opportunities at the national level provided by the OJI and FJC. The FJC, OJI, DWRs, and local offices collaborate to deliver an extensive range of educational programs and resources, including:

- In-person and virtual programs, on-demand videos, podcasts, and e-learning modules, such as the Judiciary Online University and other platforms hosted by the AOUSC, which offer national access to training for employees, managers, and judges across the branch;
- Professional development courses on ethics, leadership, management skills, inclusion, cognitive bias, and having difficult conversations;
- Various outreach and engagement opportunities, such as roundtables, brown bag discussions, “coffee & conversation” events, town halls, and speaker series, often tailored to specific groups such as law clerks, probation and pretrial services officers, and staff attorneys; and
- Tailored programs for specific populations, including an annual workplace conduct and EDR training specifically tailored for law clerks.

OUTREACH TO FUTURE JUDICIARY EMPLOYEES

The Judiciary’s outreach efforts extend beyond just current Judiciary employees, with programs aimed to educate future employees as well. Since 2021, the OJI and circuit DWRs have collaborated to host an annual program for law school administrators across the country to ensure that those assisting prospective federal law clerks and others who may seek employment in the federal courts are aware of the Judiciary’s workplace protections, resources, and reporting options. The Judiciary has also partnered with the National Association for Law Placement (NALP) to deliver similar types of presentations and engage with leaders in academia.

APPENDIX C: AMENDMENTS TO THE JUDICIARY’S CODES OF CONDUCT

In 2019 and 2020, the Judicial Conference approved numerous amendments clarifying ethical duties relating to workplace conduct in the Judiciary’s codes of conduct, which include [*the Code of Conduct for United States Judges*](#), [*Code of Conduct for Judicial Branch Employees*](#), and [*Code of Conduct for Federal Public Defender Employees*](#).

CODE OF CONDUCT FOR UNITED STATES JUDGES

Updates to the [*Code of Conduct for United States Judges*](#) in March 2019 included the following:

- Amendments to the Commentary to Canon 2A to make clear that “[p]ublic confidence in the Judiciary is eroded by irresponsible or improper conduct by judges, including harassment and other inappropriate workplace behavior.”
- Amendments to Canon 3 and Canon 3B(4) to clarify and emphasize that a judge must perform the duties of the office respectfully, practice civility, and should not engage in any behavior that is harassing, abusive, prejudiced or biased.
- Updated Commentary to Canon 3B(4), to provide that “[a] judge should neither engage in, nor tolerate, workplace conduct that is reasonably interpreted as harassment, abusive behavior, or retaliation for reporting such conduct. The duty to refrain from retaliation includes retaliation against former as well as current Judiciary personnel.” Further updates to this Commentary provide that “harassment encompasses a range of conduct having no legitimate role in the workplace, including harassment that constitutes discrimination on impermissible grounds and other abusive, oppressive, or inappropriate conduct directed at judicial employees or others.”
- Amendments to Canon 3B(6) to clarify that a judge who receives reliable information that another judge or a Judiciary employee engaged in improper conduct, to include workplace misconduct, should take appropriate action to address the matter.
- Amendments to the Commentary to Canon 3B(6) to explain that taking appropriate action to address likely misconduct is necessary to promote public confidence in the integrity and impartiality of the Judiciary. To ensure that a response to a report of wrongful conduct in the workplace can be tailored to the situation, the Commentary further provides that appropriate action depends on the circumstances but should be calculated to prevent harm to those affected by the conduct and to prevent its recurrence. For example, appropriate action may include direct communication with the person who engaged in the inappropriate behavior, reporting the conduct to the chief judge or other appropriate authorities or persons, or cooperating with or participating in judicial disciplinary proceedings.

CODES OF CONDUCT FOR JUDICIAL AND FPDO EMPLOYEES

Updates to the [*Code of Conduct for Judicial Employees*](#) in March 2019 and the [*Code of Conduct for Federal Public Defender Employees*](#) in March 2020 included the following:

- Amendment to Canon 3D of the *Code of Conduct for Judicial Employees* to clarify that the “general restriction on use or disclosure of confidential information does not prevent, nor should it discourage, an employee or former employee from reporting or disclosing

misconduct, including sexual or other forms of harassment, by a judge, supervisor, or other person.” In March 2020, the Judicial Conference approved a similar amendment to Canon 3D of the *Code of Conduct for Federal Public Defender Employees*.

- Amendments to Canon 3C(1) of the *Code of Conduct for Judicial Employees* to make a similar clarification that, like a judge, a Judiciary employee’s duty to be patient, dignified, respectful, and courteous extends to other employees. The amendments further included language to expressly proscribe sexual or other forms of harassment of other employees, and to further proscribe retaliation against those who report misconduct. In March 2020, the Judicial Conference approved identical amendments to the *Code of Conduct for Federal Public Defender Employees*.
- Amendments to Canon 3C(1) of the *Code of Conduct for Judicial Employees* to clarify that Judiciary employees should also take appropriate action upon receipt of reliable information indicating the likelihood that a judge’s or judicial employee’s conduct contravened the applicable code. In March 2020, similar amendments were also approved for Canon 3C(1) of the *Code of Conduct for Federal Public Defender Employees*.

APPENDIX D: UPDATES TO THE RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS

Consistent with the Judiciary’s other actions to promote an exemplary workplace, the Judiciary amended the JC&D Rules in March 2019 as follows:

JUDICIAL MISCONDUCT DIRECTED AT JUDICIARY EMPLOYEES

The amendments clarified the existing practice and understanding that misconduct directed at Judiciary employees, including interns, externs, and volunteers, is considered cognizable judicial misconduct:

- New language was added to Rule 3’s general definitions to include the term “Judicial Employee,” and also make clear that the term includes interns, externs, and volunteers.
- New language was added to the Commentary to Rule 4, which defines the forms of cognizable judicial misconduct, to emphasize the Judiciary’s commitment to maintaining a work environment in which all judicial employees are treated with dignity, fairness, and respect, and are free from harassment, discrimination, and retaliation.
- Existing language in Rule 4 defining cognizable judicial misconduct to include treating others in a “demonstrably egregious and hostile manner” was clarified to include such behavior directed at Judiciary employees.
- New language was added to Rule 4 providing that “abusive and harassing behavior” is cognizable misconduct and includes sexual harassment or other sexual misconduct directed at any person, or creating a hostile work environment for Judiciary employees.
- New language was added to the Commentary to Rule 4’s definition of abusive and harassing behavior to emphasize that “anyone can be a victim of unwanted, offensive, or abusive sexual conduct, regardless of their sex and of the sex of the judge engaging in the misconduct.”
- New language was added to Rule 4 to expressly provide that cognizable misconduct includes intentional discrimination on the basis of race, color, sex, gender, gender identity, pregnancy, sexual orientation, religion, national origin, age, or disability.
- Existing language in Rule 4 defining cognizable misconduct to include retaliation for participating in the JC&D process was clarified to expressly include retaliation against Judiciary employees, and retaliation for reporting or disclosing judicial misconduct or disability.

FAILURE OF A JUDGE TO REPORT JUDICIAL MISCONDUCT TO THE CHIEF JUDGE

Consistent with changes made to the *Code of Conduct for United States Judges*, the amendments added language to Rule 4 and the related Commentary to make clear that a judge’s failure to report reliable information reasonably likely to constitute judicial misconduct or disability to the relevant chief district court or chief circuit court judge is also a form cognizable judicial misconduct.

CLARIFICATIONS IN RULES RELATING TO CONFIDENTIALITY

By statute, the JC&D complaint process is confidential, and orders regarding a complaint become public only after final action has been taken. JC&D Rules 4, 6, 16, 23 and the related Commentary was amended to clarify that the confidentiality provisions in the JC&D Rules do not preclude reporting or disclosing concerns of wrongful workplace conduct. When a person confidentially reports potential judicial misconduct to a judge, the amendments also require the judge to inform the person of the judge’s responsibility to disclose such information to the relevant chief district court judge or chief circuit judge. The judge receiving the report must also inform the person that confidentiality does not prevent disclosing the information as needed in circumstances involving a threat to the safety or security of any person or conduct that is so serious and egregious that it threatens the integrity and proper functioning of the Judiciary.

INSTITUTIONAL REVIEW AND OTHER ACTION NECESSARY TO ENSURE ACCOUNTABILITY

Amendments were also made to the JC&D Rules to prevent the recurrence of judicial misconduct in the workplace.

- The Commentary to Rule 11 and Rule 20 was amended to emphasize that, even in circumstances in which a JC&D proceeding has concluded (such as because of the death, resignation, retirement, or impeachment of the subject judge), judicial councils, and the Judicial Conference, have the authority to engage in institutional reviews to evaluate the circumstances that may have enabled misconduct or prevented its discovery, and what precautionary or curative steps can be taken to prevent its recurrence.
- Language was added to the Commentary to Rule 4 to clarify that a chief district judge or chief circuit judge may address the allegations of misconduct or disability through informal corrective action to bring about an effective and prompt resolution if appropriate under the circumstances.
- Language was added to the Commentary to Rule 1 and Rule 11 clarifying that a JC&D complaint must be addressed so long as the subject judge retains the judicial office.
- Language was added to Rule 13 authorizing special committees investigating judicial misconduct complaints to determine the full scope of the potential misconduct or disability, including whether there is a broader pattern of misconduct at issue in the matter.

PROCEDURAL CLARIFICATIONS TO DISTINGUISH JC&D AND EDR PROCEEDINGS

The amendments to the JC&D Rules also made important clarifications in the Commentary to Rule 1 and Rule 4 to ensure that Judiciary employees understand that the JC&D process is a distinct process from the employee’s right to pursue remedies under the Judiciary’s Model EDR Plan.

- As set forth in the revised Commentary to Rule 4, “[a] person who seeks to report information of misconduct or disability on a confidential or anonymous basis may proceed through various alternative avenues within the Judiciary, including the OJI and/or comparable offices within the circuits.”
- The amendments further clarified in the Commentary to Rule 3 that unlike EDR processes, anyone can file a complaint of judicial misconduct under the JC&D Rules, and

that because traditional standing requirements do not apply, a person can file a judicial misconduct complaint even if they have not been directly injured or aggrieved.

Administrative Office of the U.S. Courts
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