



**OKLAHOMA**

**Council on Judicial Complaints**

1901 North Lincoln Boulevard • Oklahoma City, OK 73105

**Taylor Henderson**  
Administrative Director

Office: (405) 522-4800

Website: [cojc.ok.gov](http://cojc.ok.gov)

Email: [complaints@cojc.ok.gov](mailto:complaints@cojc.ok.gov)

## JUDICIAL COMPLAINT FORM

The Council on Judicial Complaints may only investigate complaints against judges and judicial officers in and for the **State of Oklahoma**. The Council on Judicial Complaints lacks jurisdiction to investigate federal court judges, tribal judges, or judges and judicial officers in other states.

Upon filing your complaint, the judge may receive a copy and be asked to respond. Pursuant to state law, the judge's response and the Council's investigation is confidential.

To formally file your complaint, mail or email this complaint form, acknowledgement, and all relevant documentation in support of your allegations, to the address listed above.

**For Official Use ONLY:**

**COC-**\_\_\_\_\_

### Your Contact Information

**Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

### Judge's Information

**Name of Judge:** \_\_\_\_\_

**Please check the type of judicial position, if known.**

☐ Appellate Court Judge

☐ Administrative Law Judge

☐ Municipal Court Judge

☐ State Agency, Commission, or Board Member

☐ District Court Judge

## Case Information

**A) If your complaint arises out of a court case, please complete sections A, B, and C.**

The case name is \_\_\_\_\_ vs. \_\_\_\_\_,  
in the County of \_\_\_\_\_, Case Number \_\_\_\_\_.

**B) What kind of case is it? (Please check one.)**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Criminal              | <input type="checkbox"/> General Civil | <input type="checkbox"/> Family or Domestic |
| <input type="checkbox"/> Small Claims          | <input type="checkbox"/> Juvenile      | (divorce, custody, support,                 |
| <input type="checkbox"/> Probate               | <input type="checkbox"/> Traffic       | guardianship, and related)                  |
| <input type="checkbox"/> Other (specify) _____ |  |   |

**C) What is your relationship to the case? (Please check one.)**

- |  |  |
|--|--|
| <input type="checkbox"/> Plaintiff/Petitioner  | <input type="checkbox"/> Attorney for: _____ |
| <input type="checkbox"/> Defendant/Respondent  | <input type="checkbox"/> Witness for: _____  |
| <input type="checkbox"/> Other (specify) _____ |  |

## Complaint Information

**D) Please state the facts and allegations of your complaint.**

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**E) List any additional witnesses to the judge's conduct, if known.** (Example: Names of bailiffs, clerks, court reporters, law enforcement officers, attorneys, plaintiffs, defendants or party witnesses that were present at the time.) You may list additional witnesses on a separate sheet of paper, if necessary, and attach it to your complaint.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

F) Identify/list any documents you have attached in support of your allegations that the judge engaged in misconduct.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

G) Identify/list any document(s) or other evidence you know to exist that is not attached but would support your allegations that the judge engaged in misconduct.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

**You must also review, sign, and submit the Acknowledgement on Page 5.**

### Attachments

Please attach copies of any relevant documentation identified herein which you believe directly supports your allegations. Refrain from using staples, if possible. Do not include documentation that does not directly support your complaint. For example, a copy of your court case file would not support your complaint. Please do not send originals. **Please note your complaint and attachments will become evidence of the Council on Judicial Complaints upon receipt and cannot be returned to you.** Please keep a copy for your records. Any request for copies will be denied as required by law.

## ACKNOWLEDGEMENT

I, \_\_\_\_\_, the undersigned, hereby acknowledge the following rules and guidelines related to filing a complaint with the Council on Judicial Complaints (referred herein as “COJC” and “Council”):

1. The purpose of the COJC is to investigate written complaints alleging misconduct by a judge. The Council's sole concern is with the investigation of a judge's misconduct or behavior. **The COJC has no authority to change a judge's decision and the COJC is not an appellate court.** Appellate review and disqualification procedures exist and should be utilized to address concerns regarding unfavorable decisions or disqualification issues. In the absence of fraud, corrupt motive or bad faith on the judge’s part, or unless a judge’s decision constitutes such an abuse of discretion as to otherwise violate the Code of Judicial Conduct, an unfavorable decision from a judge does not constitute misconduct.

2. **A judge is not required to disqualify or recuse from a case on the basis that a complaint has been filed with the COJC.**

3. Upon receipt of your complaint, an investigation by the Council’s staff will follow with a report ultimately presented to the Council detailing the results of the investigation. You will be notified by regular mail as soon as possible regarding the Council’s decision. If the Council determines it is necessary, it may hold a confidential hearing at which you may be expected to testify under oath. You may also be required to testify under oath before the Court on the Judiciary about the facts set forth in your complaint.

4. The Council may dispose of your complaint by: (1) referring the matter to the appropriate entity for discipline or removal of the judge from office or (2) by dismissing the complaint. A complaint may be dismissed for various reasons including, but not limited to, the allegation concerns the judge’s interpretation of law without any accompanying allegation of judicial misconduct, the alleged conduct is not judicial misconduct, lack of evidence sufficient to establish misconduct has occurred, or lack of jurisdiction for other reasons.

5. Oklahoma state law defines judicial misconduct to include, but not be limited to: (A) violation(s) of the Oklahoma Code of Judicial Conduct; (B) gross neglect of duty; (C) corruption in office; (D) habitual drunkenness; (E) commission of an offense involving moral turpitude; (F) gross partiality; (G) oppression; (H) mental or physical health disability which prevents the proper performance of a judge’s duty; (I) acceptance of an unauthorized fee or gratuity for performing a required act; (J) continued willful noncompliance with the rules and directives of the Supreme Court, of the presiding judge of the administrative district, or of the chief judge of his district; and (K) participation in partisan political activities and participation in an election campaign other than for his/her own election to a judicial office.

6. **This complaint form and any other documentation provided to the COJC will become the property/evidence of COJC and cannot be returned to you.** Any request for copies of the file will be denied as required by law.

7. Details regarding the investigation into your complaint or any other disciplinary matters pending before the COJC are confidential pursuant to state statute and will not be shared with you.

8. **Pursuant to Title 20, Section 1658 of the Oklahoma Statutes, the Council’s investigation and all of its proceedings related to judicial complaints shall be held in secrecy to the same extent as proceedings before a grand jury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature