

## Most state judges oppose informal bias committees

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Judges who submitted comments to a Judicial Council work group, including presiding judges from large, medium, and small counties, almost uniformly support eliminating a decades old recommendation that each court establish an informal system for receiving and reviewing complaints.

"It is my belief that the informal complaint process is unnecessary," wrote Sacramento County Superior Court Presiding Judge Russell L. Hom. "Some local bar associations have committees addressing bar/court relations where complaints about judicial officers and staff are brought to the attention of court leadership. In many counties, the public is able to anonymously raise concerns regarding treatment in our court system by directing complaints through a court website, electronic form or correspondence. Those complaints are brought to the attention of either the court executive officer or the presiding judge."

The support among judges for eliminating the recommendation clashes with the views of some attorneys, who say there should be a process for addressing behavior by judges that might not warrant a formal complaint with a presiding judge or the Commission on Judicial Performance. Minorities and women experience forms of judicial bias, including microaggressions, that could be solved through informal mediation between a complainant and the judge, some attorneys said. In the comments, they did not provide explicit examples of what sort of behavior would warrant attention from a bias committee and what should be brought to the attention of the CJP.

In recent years, as movements like #MeToo inspired some people to file discrimination, harassment and retaliation lawsuits, attorneys who represented them began to push for more ways to address their own experiences with bias in the courts.

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