

# The Agency

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## Commission on Judicial Tenure and Discipline

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### Agency Operations

The Commission on Judicial Tenure and Discipline is responsible for conducting investigations of judges suspected of or charged with misconduct. The commission, upon receiving from any person a verified statement, not unfounded or frivolous, alleging facts indicating that a Justice of the Supreme Court, the Superior Court, the Family Court, the District Court, the Workers' Compensation Court, and the Traffic Tribunal, Probate Court judges or magistrates and judicial officers appointed pursuant to Rhode Island General Laws is guilty of a serious violation of the Canons of Judicial Ethics, or of willful and persistent failure to perform his/her duties, or disabling substance abuse, or conduct that brings the judicial office into serious disrepute, or that such a judge has a physical or mental disability that seriously interferes and will continue to interfere with the performance of his/her duties, shall make a preliminary investigation to determine whether formal proceedings shall be instituted and a hearing held. The commission may, on its own initiative, make such a preliminary investigation, without receiving a verified statement, to determine whether formal proceedings shall be instituted and a hearing held.

When formal proceedings are ordered, the justice is given formal notice of the charges and of the time fixed for a public hearing. The justice is required to appear at the hearing, may be represented by counsel, offer evidence and otherwise participate in said hearing. Recommendation concerning the disciplining of any justice shall be made in a report to the Chief Justice of the Supreme Court. The Supreme Court is required to grant a review if requested by said justice. After the hearing, the Supreme Court may affirm, modify or reject the commission's recommendation(s).

### Agency Objectives

Ensure the integrity of the Rhode Island Court System.

Investigate reasonable allegations of wrongdoing by Rhode Island judges.

Recommend, when appropriate, sanctions to be imposed against Rhode Island judges.

### Statutory History

The Commission on Judicial Tenure and Discipline was established in 1974 under Rhode Island Public Law 1972, Ch. 136, Section 1 for the purpose of conducting investigations upon verified complaint or upon its own initiative of the conduct of judges of the Supreme, Superior, Family, District Courts, and Workers' Compensation Commission. Subsequent enactments in P.L.1983, Ch. 26 and P.L. 1990, Ch. 332, Article 1, sec. 13 and P.L. 1991, Ch. 132, sec. 2 as well as P.L. 1991, Ch. 205, sec. 2 and P.L. 1996, Ch. 312 enlarged the jurisdiction to include the new courts of Workers' Compensation Court, the Traffic Tribunal as well as all judges of Probate Courts in any city or town in the State of Rhode Island.

# The Budget

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## Commission on Judicial Tenure and Discipline

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	<b>FY 2005 Actual</b>	<b>FY 2006 Actual</b>	<b>FY 2007 Revised</b>	<b>FY 2008 Recommended</b>
<b>Expenditures By Object</b>				
Personnel	123,419	105,685	103,443	111,932
Operating Supplies and Expenses	4,276	3,187	4,575	4,575
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	-	-	-	-
<b>Subtotal: Operating Expenditures</b>	<b>\$127,695</b>	<b>\$108,872</b>	<b>\$108,018</b>	<b>\$116,507</b>
Capital Purchases and Equipment	1,413	2,632	3,198	3,198
Debt Service	-	-	-	-
Operating Transfers	-	-	-	-
<b>Total Expenditures</b>	<b>\$129,108</b>	<b>\$111,504</b>	<b>\$111,216</b>	<b>\$119,705</b>
<b>Expenditures By Funds</b>				
General Revenue	129,108	111,504	111,216	119,705
<b>Total Expenditures</b>	<b>\$129,108</b>	<b>\$111,504</b>	<b>\$111,216</b>	<b>\$119,705</b>
<b>FTE Authorization</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>
<b>Agency Measures</b>				
Minorities as a Percentage of the Workforce	-	-	-	-
Females as a Percentage of the Workforce	100.0%	100.0%	100.0%	100.0%
Persons with Disabilities as a Percentage of the Workforce	-	-	-	-
<b>Program Measures</b>				
Percentage of Verified Complaints Disposed of within 90 Days of Docketing	94.7%	96.4%	95.0%	95.0%