

JCPU Standard Operating Procedure

This document is meant as a guide and to serve as a direction concerning the tasks the Judicial Conduct and Professionalism Unit team undertakes. First, this document explains, with examples, the generalized process JCPU must take for complaints received. When triaging a potential complaint, please double check each applicable section to ensure all steps have been followed.

Contents

Types of Complaints	2
1. Information from Any Source:.....	2
2. Government Referral:	2
3. Formal Written Complaint:.....	2
4. Not a Complaint:.....	3
5. Not a Complaint – Office of General Counsel Referral:.....	3
Threshold Classification of Directed Communication: Not a Complaint	4
Threshold Classification of Directed Communication: Not a Complaint, Vexatious Complainant	4
Threshold Classification of Directed Communication: Referral to Office of General Counsel	5
Threshold Classification of Directed Communication: Confidentiality	5
Docketing a Complaint – Process Overview	7
Triaging a Complaint	8
Investigation.....	10
Resolution	10
1. Dismissal:.....	10
2. Conclusion:	10
3. Corrective Action:.....	11
4. Disciplinary Action:.....	11
Resolution Email Template to Complainant:.....	12
Resolution Summary Chart:.....	13
Reports	14
1. Monthly IJ Probationary Reports:.....	14
2. Quarterly Reports: IJ Complaint Statistics.....	16
3. Quarterly Reports: ACIJ – Complaints Closed FYXX QX	19
4. Quarterly Reports: ACIJ – Quarterly Complaint Status FYXX QX.....	20
5. Quarterly Reports: OCIJ Leadership – Complaints Closed FYXX QX.....	21
6. Quarterly Reports: OCIJ Leadership – Complaints Status FYXX QX.....	22

Types of Complaints

1. Information from Any Source:

- When information suggesting an adjudicator may have engaged in judicial misconduct comes to the attention of any EOIR management official, the official brings the information to the attention of JCPU for identification of a complaint.
- How to manage or process information from any source:
 - If the JCPU manager, in consultation with the adjudicator's supervisor, determines the information that has come to EOIR's attention meets the definition of a complaint then docket the complaint.
 - If the JCPU manager, in consultation with the adjudicator's supervisor, determines that information does not meet the definition of a complaint, proceed with "not a complaint."

2. Government Referral:

- Any EOIR component, DOJ component, or other government agency may refer information to JCPU. When this happens, it is not confidential. It is important to note this type of complaint against EOIR adjudicators is limited to active EOIR employees who are currently engaged in adjudicating cases within EOIR.
- To qualify as a governmental referral, the communication must include:
 - Name of adjudicator;
 - Statement describing conduct at issue;
 - Time and place of conduct;
 - Any A-numbers;
 - Any witnesses; and
 - Identification of referring individual and agency.

3. Formal Written Complaint:

- This is when an individual or group files a formal written complaint with JCPU. Once these complaints are docketed, they are not confidential. This is the most frequent complaint you will work with. Formal written complaints are limited to active EOIR adjudicators who are currently engaged in adjudicating cases within EOIR.
- To qualify as a formal written complaint, the communication must include:
 - Name of adjudicator;
 - Statement describing conduct at issue;
 - Time and place of conduct;
 - Any A-numbers;
 - Any witnesses; and
 - Contact information for complainant (name, address, phone, email).

4. Not a Complaint:

- If it is determined that the communication is not a complaint, create a “not a complaint” (NaC) record. To do this, create a folder in the NaC section of the fileserver and save a PDF of the communication(s). Record the NaC in the intake tracking spreadsheet under the “NaC” tab.¹
- If a response is warranted, notify sender that the matter is being closed without action.
- If there may be allegations of judicial misconduct but it is unclear from the initial communication, inform sender of the instructions for filing a complaint.
- If an EOIR adjudicator is named in the communication, notify the adjudicator’s supervisor, who then may elect to notify the adjudicator of the existence of the communication or information.

5. Not a Complaint – Office of General Counsel Referral:

- If it is determined that the communication is immigration fraud or attorney discipline related, record the referral in the intake tracking spreadsheet under the “referral” tab.
- Send the referral/close out message to the sender.
- Forward the communication to the EOIR Fraud Unit at EOIR.attorney.discipline@usdoj.gov
 - See the Judicial Conduct outlook for example messages.
- See below for the standard close out/referral message.
- If an EOIR adjudicator is named in the communication, notify the adjudicator’s supervisor, who then may elect to notify the adjudicator of the existence of the communication or information.

¹ Eoir-file-ood → ood-voll → Judicial Conduct and Professionalism Unit → Complaint Electronic Files → excel sheet titled, “IJ complaint intake tracking”

Threshold Classification of Directed Communication: Not a Complaint

- If the directed communication is not related to an active EOIR adjudicator, then it is not a complaint. In this situation, email the sender with the following² (unless it is a vexatious complainant):

To: Sender From: JCPU
BCC: ACIJ/JCPU
Subject: Message Received

Dear [name]:

We received your message dated [date]. However, we are unable to take action on your concerns.

This office handles complaints of misconduct by Immigration Judges and other adjudicators who work for the Executive Office for Immigration Review (EOIR), a component of the U.S. Department of Justice. Your message does not allege that an Immigration Judge has engaged in misconduct. Therefore, we consider this matter closed and will take no further action.

Thank you,

Judicial Conduct and Professionalism Unit
Executive Office for Immigration Review

Threshold Classification of Directed Communication: Not a Complaint, Vexatious Complainant

- If the communication comes from individuals who, on at least three occasions, have reached out to the JCPU concerning matters that are in no way related to EOIR adjudicators' conduct, then that individual may be designated as a vexatious complainant. The JCPU does not reply to vexatious complainants, nor does it report the information to the relevant ACIJ.
- Ask the JCPU manager or staff attorney which complainants have been deemed vexatious.
- Communications from vexatious complainants are not saved as a PDF, as NaCs are. Instead, simply record the communication in the excel sheet under tab, "NaC." In the notes section, put the name of the complainant.
- We are currently developing more detailed guidance on how the JCPU deals with these types of complaints and complainants.

² This is a sample and a starting point for drafting the email notification. Emails may be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct outlook for more examples.

Threshold Classification of Directed Communication: Referral to Office of General Counsel

- If the communication alleges immigration fraud or misconduct by a party to proceedings (e.g., a private bar attorney), forward the communication to EOIR’s Attorney Discipline.³
- Send the referral/close out message to the sender.⁴

To: Sender
 From: JCPU
 Bcc: eoir.attorney.discipline@usdoj.gov
 Subject: Message Received

Dear XXX:

We received your message dated XXXXXX. However, we are unable to take action on your concerns, as this office handles complaints of misconduct against immigration judges who work in the U.S. Department of Justice.

Your message has been referred to EOIR’s Office of the General Counsel (OGC), which handles matters relating to attorney discipline and fraud and abuse prevention. You can find more information about EOIR’s OGC [here](#).

Because your message does not allege that an Immigration Judge engaged in misconduct, the Judicial Conduct and Professionalism Unit will consider this matter closed and will not take further action.

Thank you,

Judicial Conduct and Professionalism Unit
 Executive Office for Immigration Review

Threshold Classification of Directed Communication: Confidentiality

- If a directed communication alleges judicial misconduct by an EOIR adjudicator but the sender requests confidentiality, first contact the sender and ask if sender wishes to waive confidentiality. This is important because if the sender wishes to waive confidentiality, then the JCPU can treat the complaint as a “formal written complaint” and docket it. However, if confidentiality is not waived, the JCPU must proceed as “information from any source” and there is no guarantee the complaint will be docketed.
- If the sender replies and wishes to waive confidentiality, then proceed to docket complaint as a “formal written complaint.”
- If the sender replies and does not wish to waive confidentiality, then proceed like it is a complaint “information from any source.”
 - First, do a “soft triage” of the allegations to see if they rise to the JCPU’s definition of a complaint.
 - If the JCPU determines that the information from the complainant rises to the level of a complaint, then that should be reflected in the triage email to the ACIJ. Below is an example.

³ EOIR.Attorney.Discipline@usdoj.gov

⁴ This is a sample and a starting point for drafting the email notification. Emails may be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct outlook for more examples.

*Sample email to complainant asking to waive confidentiality.*⁵

To: Sender
From: JCPU

Good afternoon [name]:

We are in receipt of your message dated [date], and we acknowledge your request that your identity remain confidential if possible. Once a complaint is formally filed, we typically need to tell an immigration judge about it, and give the judge an opportunity to respond. For this reason, it can be difficult to guarantee confidentiality during an investigation.

At this point, because you have requested confidentiality, we have not yet formally docketed your message as a complaint. If you choose to waive confidentiality in this matter, we will formally docket your complaint. Otherwise, we will determine whether the information you have provided would independently warrant our identification of a complaint, in the absence of a named complainant. Please advise how you wish to proceed, or if you have questions or would like to discuss your options.

Thank you,

Judicial Conduct and Professionalism Unit
Executive Office for Immigration Review

*Sample triage email to ACIJ requesting confidentiality.*⁶

To: ACIJ
From: JCPU
CC: JCPU team members, JCPU inbox, CIJ, DPCIJ, PDCIJ, OGC, ELR
Subject: Potential JCPU Identified Complaint

Good morning Judge [XXXX],

The JCPU received this matter concerning IJ [insert name] at the [location] Immigration Court via [insert how complaint was received (i.e., email)] on [month day, year]. Because the [attorney] who sent the message asked us not to reveal their identity unless it was necessary, we assessed the information provided to determine whether, in the absence of a named complainant, we would independently identify a complaint. Having reviewed the DAR, we believe that a complaint should be identified without the inclusion of the [attorney] as a named complainant, and we recommend that we now formally docket it under the “information from any source” portion of the JCPU’s procedure for handling complaints. If you disagree or would like to discuss, please let us know; otherwise we intend to docket it as complaint [insert complaint number]. If you agree that this should be docketed, please affirmatively approve the intake form or send edits.

The complaint raises allegations that the IJ:

Of the allegations above, we’ve compiled the following DAR notes:

We typically must notify the IJ in a timely fashion that a complaint has been docketed against them and give them an opportunity to respond. However, if you agree this should be formally docketed as complaint [insert complaint number], we would like to first discuss with you how to screen the [attorney’s] information from the IJ in a way that does not reveal the [attorney’s] identity, while also providing the IJ enough information to competently respond to the allegations.

⁵ This is a sample and a starting point for drafting the email notification. Emails may be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct outlook for more examples.

⁶ This is a sample and a starting point for drafting the email notification. Emails may be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct outlook for more examples.

Docketing a Complaint – Process Overview

Once a complaint is received by the JCPU, the following steps should be taken:

1. Open the excel tracking spreadsheet⁷ and input the applicable information onto a new line. Complaints are entered in a consecutive number scheme. Check with the JCPU team to ensure the tracking spreadsheet is up to date before assigning the complaint you are docketing a number.
2. Save all the information related to the complaint into the corresponding complaint number folder in the IJ Electronic Complaint Files⁸ (*i.e.*, if the complaint came in via email with an attached PDF letter, save the email and the PDF letter separately.)
3. Input all required information into the PDF intake form and save in the Electronic Complaint Files with the filename: [number] intake [year.month.day].
4. Listen to the DAR or conduct any other initial investigation. Take appropriate notes.
5. Draft the triage email to the ACIJ.
 - i. While drafting the email, ensure to check whether the IJ is on a temporary appointment or is a permanent IJ.⁹ If the IJ is on their probationary period, then indicate that in the triage email.
6. Get the draft email approved and send.
 - i. The triage email should always be sent to the ACIJ with the following individuals cc'd: CIJ, PDCIJ, JCPU, RDCIJ, OGC, ELR, JCPU team members.
7. Email the complainant that their complaint was received. This is a form email that may be edited based on the unique circumstances of each complainant.
8. Once the triage email was sent, add all relevant information to the IJ database.
9. When the complaint is closed, inform complainant with the standard form email and update both the excel spreadsheet and the IJ database.

If the complaint is against an Appellate Immigration Judge (BIA) or Administrative Law Judge (OCAHO), there are a few key distinctions from the process listed above.

- Complaints against AIJs and ALJs have their own spreadsheet.¹⁰ Use this spreadsheet and the consecutive numbering system.
 - The triage email should be sent to the AIJ's supervisor with the following individuals cc'd: CAIJ, DCAIJ, OGC, ELR, JCPU, and JCPU team members.
 - The triage email should be sent to the ALJ's supervisor with the following individuals cc'd: CALJ, OGC, ELR, JCPU, and JCPU team members.
- There is no AIJ or ALJ database, so continue to save all relevant materials in the correct Complaint Electronic File folder.

⁷ Eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → Complaint Electronic Files → excel sheet titled, "IJ complaint intake tracking"

⁸ Eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → Complaint Electronic Files.

⁹ On the JCPU TEAMS channel, under "triage," there is a tab titled "Temp IJs." All IJs on probationary period will be found in that tab.

¹⁰ Eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → Board Member Conduct and Professionalism → Complaint Electronic Files → "BIA complaint intake tracking" OR Eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → "ALJ Conduct and Professionalism → Complaint Electronic Files → "OCAHO complaint intake tracking"

Triaging a Complaint

1. Review the electronic record. This includes the DAR and all other relevant EOIR records.¹¹
 - i. at this point, JCPU does not contact adjudicator, complainant, or witnesses.
2. Create a summary of initial findings by identifying relevant sections of DAR, transcript pages, docket entries, etc.
 - i. This does not need to be a verbatim transcript of the relevant periods of the hearing. Instead, you can summarize and add approximate DAR time stamps.
3. Create a draft triage email that contains the JCPU’s summary of initial findings, with the PDF intake form and complaint attached. Send the draft to the JCPU manager, via the Triage channel in Microsoft Teams, for approval.
4. Assign the complaint to adjudicator’s supervisor by sending the supervisor the approved triage email.
5. In determining the 60-day deadline to include in the triage email, use the “Immigration Court Calendar” application on your desktop.
6. After sending the triage email to the ACIJ, send an acknowledgement email to the complainant.

*Sample triage email.*¹²

To: ACIJ
 From: JCPU
 cc: JCPU team members, JCPU, CIJ, PDCIJ, RDCIJ, OGC, ELR
 Subject: Complaint [XXXX]

Good morning Judge [insert name],

This is complaint [XXXX] concerning IJ [insert first and last name] at the [insert court location] Immigration Court, which we received by [insert method complaint was received (i.e., email)] on [month day, year]. Please affirmatively approve the attached intake form or send edits.

The complaint alleges that the IJ:

After reviewing the agency electronic records, we’ve compiled the following notes.

We typically must notify the IJ in a timely fashion that a complaint has been filed against him and give him an opportunity to respond. However, if the complaint is able to be dismissed or concluded without the IJ’s input, we may notify the IJ of the complaint’s existence at the same time that we inform him it has been closed. I will leave it to your discretion whether you wish to simply forward the complainant’s letter, to send a summary, or to notify the IJ in some other way. However, please do not forward the attached intake form or this triage email, as they are considered internal management documents. Please let me know once you’ve made this notification to the IJ so that we can track it.

Please try to complete this matter by [insert date] (60 days from today).
 We will send our standard acknowledgement email to the complainant and will bcc you.

¹¹ To find BIA decisions, utilize the following: <https://edecisions/library/biadec/decisions/index.cfm> and <https://biadecisions.eoir.usdoj.gov/Pages/home.aspx>

¹² This sample is merely a starting point in drafting the email notification. Emails may need to be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct email box for more examples.

*Sample email to complainant.*¹³

To: Complainant
From: JCPU
Bcc: ACIJ, JCPU
Subject: Complaint Received

Dear [complainant]:

Thank you for bringing your concerns to our attention. Your complaint dated [insert date], is currently under review, and someone will contact you in the event we need additional information.

Judicial Conduct and Professionalism Unit
Executive Office for Immigration Review

¹³ This sample is merely a starting point in drafting the email notification. Emails may need to be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct email box for more examples.

Investigation

- The supervisor (ACIJ) will make any necessary edits to the intake sheet and affirmatively approve it.
- If the supervisor notifies the IJ, the date the IJ is notified is recorded and entered into the database and the spreadsheet.
- The supervisor reviews electronic records and relevant agency records and may solicit statements from complainant/witnesses or may request assistance from JCPU in carrying out discrete portions of investigation.
- While the complaint is pending with the supervisor, the supervisor may consult with ELR and the matter may be referred to OPR, OIG, or OSC.
 - If this happens, processing of the complaint by JCPU and the supervisor is suspended while the matter is pending outside of EOIR.
- The supervisor then makes findings of fact and will either dismiss / conclude the complaint or take some corrective / disciplinary action.
- The supervisor communicates the resolution and the date of the resolution to the JCPU and JCPU records it in database and spreadsheet.

Resolution

- Once the investigation is completed, the supervisor will make findings of fact and will either dismiss or conclude the complaint or take some corrective/disciplinary action. The possible outcomes are listed below.
1. Dismissal:
 - If the supervisor determines the allegations in the docketed complaint do not constitute judicial misconduct, the complaint will be dismissed.
 - Dismissed complaints may be categorized as:
 - frivolous,
 - not substantiated,
 - merits-related,
 - disproven, or
 - fails to state a claim of misconduct.
 - A complaint can be dismissed for only one reason, so if a supervisor indicates a complaint is dismissed on more than one ground, ask them to pick the most appropriate ground and enter that ground into the database and spreadsheet as the “final decision.” However, in the database, you can list as many dismissal reasons as appropriate, but only the most appropriate should be listed as the “final decision.”
 2. Conclusion:
 - If the supervisor determines that intervening events, such as the adjudicator’s retirement or resignation, make further action unnecessary, or if corrective action has already been taken on the matter, the docketed complaint will be concluded on that ground.

3. Corrective Action:

- If the supervisor determines the conduct implicates an issue that may be appropriate for general training, the supervisor will consult with his or her supervisor and/or EOIR's Office of Policy. Any such general training will be developed separate and apart from this complaint process.
- If the supervisor determines non-disciplinary corrective action is appropriate, the supervisor may consult with ELR to determine appropriate action.
 - This may include: counseling the adjudicator orally or in writing, consulting with his or her supervisor and/or the Office of Policy to arrange for individualized training, and/or initiating a performance-based action.

4. Disciplinary Action:

- If the supervisor determines disciplinary action is required, supervisor may consult with ELR regarding the appropriate action. This may include written reprimand, suspension, or removal from federal service.

Resolution Email Template to Complainant:¹⁴

To: Complainant
From: JCPU
Bcc: JCPU
Subject: Complaint Closed

Dear [name of complainant]:

Thank you for contacting us with your complaint of [insert date]. Please be advised that this matter is now considered closed. Although the Privacy Act, 5 U.S.C. § 552a, prevents us from disclosing whether any action was taken against the immigration judge, be assured that your complaint was reviewed fully and handled appropriately.

Judicial Conduct and Professionalism Unit
Executive Office for Immigration Review

There are some instances in which the complainant will ask for additional information concerning the action (if any) taken against the immigration judge or adjudicator. In this situation, forward the request to OGC and ELR, and copy all JCPU team members. More often than not, JCPU will be advised that such information requested cannot be released. Below is a sample email message to the complainant.

To: Complainant
From: JCPU
Bcc: JCPU
Subject: Complaint Closed

Dear [name of complainant]:

The Office of Personnel Management's Systems of Records Notices (SORN) is controlling over all personnel records and does not allow release of personnel information under these circumstances. Because the Judicial Conduct and Professionalism Unit (JCPU) records are considered personnel records, as they may contain information related to employee discipline, we are unable to release any further information to you. Once again, while we may not disclose any additional details regarding the complaints you filed with the JCPU, be assured that your complaint was reviewed fully and handled appropriately. If you would like information about the JCPU's yearly statistics, you can visit EOIR's Statistics and Reports page [here](#).

Judicial Conduct and Professionalism Unit
Executive Office for Immigration Review

¹⁴ This sample is merely a starting point in drafting the email notification. Emails may need to be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct email box for more examples.

Resolution Summary Chart:

For a quick reference guide on the types of resolutions, see the chart below.

Complaint Dismissed or Concluded		
Complaint Dismissed	Complaint Concluded	Other
<ul style="list-style-type: none"> • frivolous • merits-related • allegations disproven • allegations cannot be substantiated • failure to state a claim 	<ul style="list-style-type: none"> • corrective action already taken • intervening event made action unnecessary (IJ termination, IJ termination during trial period, IJ resignation, IJ retirement, other) 	<ul style="list-style-type: none"> • merged into another complaint • resolved per another complaint

Management Action	
Corrective Action	Disciplinary Action
<ul style="list-style-type: none"> • oral counseling • written counseling • training • performance-based action (PIP) • other – [details] • corrective action occurred date(s) 	<ul style="list-style-type: none"> • discipline proposal (suspension, removal, other) • discipline decision (reprimand, suspension, removal, other) • discipline imposed date(s)

Reports

1. Monthly IJ Probationary Reports:

Each month, the JCPU runs a report on the complaints probationary IJs have received. This report should be sent to the Principal Deputy Chief Immigration Judge and Deputy Director. Please cc the JCPU team members and the ELR inbox. Below is an outline of the steps taken to run the report as well as draft the email.

1. Open last month's IJ probationary report in the shared drive.¹⁵
2. Separately, open COGNOS in order to run the report.¹⁶
3. Click "Team Content" on the left-hand side.
4. Click "Public Reporting Packages."
5. Click "JCS."
6. Click "Detail."
7. Leave the following data boxes open and/or unchecked:
 - Complaint status
 - ACIJ Name
 - Base City
 - Complaint Open Date (both "from" and "to")
8. Looking at the list of probationary judges,¹⁷ control + click any probationary IJ name that appears in the "IJ Name column" in the COGNOS report. Only probationary IJs with complaints will appear in the COGNOS "IJ Name column."
9. In the data box "Report Title," select any option.
10. Double check all data fields are open, unchecked, and/or blank except for "IJ Name" and "Report Title."
11. Click "Finish."
12. Click the play bottom on the top left-hand side of the screen.
13. Select "Run as PDF."
14. Save this report as "PDCIJ – Probationary IJs Monthly Complaint Report – [month year]" (ood-vol1 → judicial conduct and professionalism unit → IJ Conduct & Professionalism → Reports → Probationary Report (Monthly)).
15. Draft the email.
16. Send the email to the Deputy Director and PDCIJ, with JCPU team members cc'd.
17. Save the email in the "Probationary Report (Monthly)" folder.

¹⁵ Eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → IJ Conduct & Professionalism → Reports → Probationary Report (Monthly)

¹⁶ Once you run this report once, the location will save on your COGNOS homepage, so you do not need to follow these steps each time you run the report. Instead, you can skip to #6.

¹⁷ To find the list of probationary IJs, go to the OOD intranet page, click on "IJ Hiring" → "Front Office" → on the left-hand sidebar, hover over "applications(Admins) → click on "Trial Periods and Temp Apt Report" → sort by "end of temp appt." The probationary judges list is also available in the TEAMS "triage" channel under "Temp Appts."

Sample email for the probationary report

Good morning Judge [name],

Here is [month]'s report on judicial complaints concerning probationary judges. I've also attached a more detailed report from the complaint database, from which this data was drawn. Please let me know if you have questions or need more information.

Best,
Name

IJs on temporary appointments with complaints, sorted alphabetically by IJ – new or updated info in blue			
IJ name	court	temp appointment ends	complaints – number and management action
Anderson, Bill	Seattle	XX/XX/XXXX	1 complaint: Dismissed because it could not be substantiated.
Connor, Duane	Tacoma	XX/XX/XXXX	1 complaint: Dismissed because it could not be substantiated.
Ellensworth, Frank	Portland	XX/XX/XXXX	2 complaints: Training.
Gunderson, Heather	Sacramento	XX/XX/XXXX	1 complaint: Oral counseling.
Iverson, Jason	Arlington	XX/XX/XXXX	1 complaint: Currently pending with the ACIJ.
Keller, Lauren	San Francisco	XX/XX/XXXX	1 complaint: Dismissed as merits-related.

IJs on temporary appointments with no complaints, sorted alphabetically by IJ		
IJ name	court	temp appointment ends
Morrison, Nellie	Los Angeles	XX/XX/XXXX
Omar, Patricia	San Diego	XX/XX/XXXX
Quinn, Richelle	Hyattsville	XX/XX/XXXX
Robertson, Samuel	New York	XX/XX/XXXX
Turner, Usher	Houston	XX/XX/XXXX
Vanderbuilt, William	Chicago	XX/XX/XXXX
Xander, Yesina	Baltimore	XX/XX/XXXX

2. Quarterly Reports: IJ Complaint Statistics

The JCPU compiles a quarterly “adjudicator complaints” email to the Deputy Director. Please cc JCPU team members and the ELR inbox. This summarizes the “IJ complaint statistics” excel spreadsheet and consists of running numerous COGNOS reports.¹⁸

1. “Open Closed Pending”
 - Pull up COGNOS and navigate to the report titled, “open and closed in timeframe.”
 - Input the beginning date you want to use (*i.e.*, the first day of Q1 or FYXXXX) for “opened begin date.”
 - Input the end date (*i.e.*, last day of Q1) for “opened end date.”
 - Leave “closed begin date” and “closed end date” empty.
 - Run the report and input that information in the “opened during” column in the spreadsheet.
 - Go back to the report home page and this time leave “opened begin date” and “opened end date” empty.
 - Input the beginning date you want to use (*i.e.*, the first day of Q1 or FYXXXX) for “closed begin date.”
 - Input the end date (*i.e.*, last day of Q1) for “closed end date.”
 - Run the report and input that information in the “closed during” column.

2. “Number of IJs”
 - Pull up COGNOS and navigate to the report titled, “Opened in Time Frame with Number of IJs.”
 - Input the beginning date you want to use (*i.e.*, the first day of Q1 or FYXXXX) for “opened begin date.”
 - Input the end date (*i.e.*, last day of Q1) for “opened end date.”
 - Input that information under the “number of IJs against whom complaints were received.”
 - To get the “total number of IJs on board at beginning of FY” email Austin Lin. This only must be done once per FY. Ensure that the total number of IJs includes ACIJs, RDCIJs, PDCIJ, and CIJ.

3. “Sources”
 - Pull up COGNOS and navigate to the report titled, “Opened in Time Frame by Source.”
 - Input the beginning date you want to use (*i.e.*, the first day of Q1 or FYXXXX) for “opened begin date.”
 - Input the end date (*i.e.*, last day of Q1) for “opened end date”
 - Input that information under the appropriate columns in the “sources tab” in the excel spreadsheet.
 - Ensure the table above updates to reflect the new data inputted.

¹⁸ To get to this report, go to COGNOS → click on “team content” → “public reporting packages” → JCS → quarterly reports.” As noted above, once you access these reports once, they will be saved on your COGNOS homepage.

4. “Natures”

- Pull up COGNOS and navigate to the report titled, “Opened in Time Frame by Nature.”
- Input the beginning date you want to use (*i.e.*, the first day of Q1 or FYXXXX) for “opened begin date.”
- Input the end date (*i.e.*, last day of Q1) for “opened end date.”
- Input that information under the appropriate columns in the “natures tab” in the excel spreadsheet.
- Ensure the table above updates to reflect the new data inputted.

5. “Dispositions”

- Pull up COGNOS and navigate to the report titled, “Closed in Time Frame by Disposition.”
- Input the beginning date you want to use (*i.e.*, the first day of Q1 or FYXXXX) for “closed begin date.”
- Input the end date (*i.e.*, last day of Q1) for “closed end date.”
- Input that information under the appropriate columns in the “disposition tab” in the excel spreadsheet.
- Ensure the table above updates to reflect the new data inputted.

*Sample email to the Deputy Director (remember to attach the excel spreadsheet).*¹⁹

To: Deputy Director
 From: JCPU
 cc: JCPU team members, Kate Sheehey, JCPU inbox, ELR
 Subject: Adjudicator Complaints – Quarterly Report

Good morning Deputy Director [name],

Below is a summary of adjudicator complaints through Q[X] of FY [20XX]. More detailed information is available in the attached spreadsheet.

Through Q[X], we received [number] communications (or related series of communications) that did not meet the complaint definition and have been classified as “not a complaint.”

From [first month day, year included in the report], through [last month day, year included in the report], we opened [number] complaints concerning IJs and closed [number]. As of [last month day of reporting period], there were [number] pending complaints. Through [last month of reporting period], complaints were received concerning [number] IJs, or approximately [insert percentage in the excel spreadsheet report] of the corps (based on [number] IJs at the beginning of the FY).

Sources for these complaints are as follows:

BIA	0
Respondent’s Attorney	5
Respondent	0
Third Party	2
DHS	0
EOIR	0
Circuit Court	0
Media	0
OIG	0
OIL	0
OPR	0
Anonymous	0
Other	0

The disposition categories for the complaints closed through [last month in reporting period] are as follows (subcategories in spreadsheet):

Dismissed	10
Concluded	0
Corrective Action	4
Discipline	0
Other	0

¹⁹ This sample is merely a starting point in drafting the email notification. Emails may need to be tailored depending on the circumstances of the initial communication. Refer to the Judicial Conduct email box for more examples.

3. Quarterly Reports: ACIJ – Complaints Closed FYXX QX

At the end of each quarter, all ACIJs who have closed out complaints in that quarter receive an email detailing the complaint(s) that they closed out. This information is useful for the ACIJs during their quarterly meetings with leadership.

To find this information, open the “IJ complaint intake tracking” spreadsheet and input all closed complaints as reflected in the spreadsheet. See below for a form email example (due to space, the table depicted in the email below has been edited). Previous email reports are also saved in the shared drive: coir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → IJ Conduct & Professionalism → Reports → ACIJ Closed Complaints (Quarterly)

To: ACIJ
 From: JCPU
 Cc: JCPU
 Subject: Complaints Closed FYXX QX

Good afternoon Judge [name],

As part of the JCPU’s quarterly review process, the complaint below was closed out under your supervision in QX of FYXX.

As always, thank you for your work with the JCPU.

Complaint #	Days pending	IJ	ACIJ	Received	Ack. Sent	Forwarded to ACIJ	Intake Approved	Target Completion	Status	Last Action	Last Action
1584	85	Smith	Bell	1/19/22	1/20/22	1/24/22	1/26/22	3/19/22	CLOSED	4/1/22	Oral Counseling

4. Quarterly Reports: ACIJ – Quarterly Complaint Status FYXX QX

At the end of each quarter, all ACIJs who have pending complaints in that quarter receive an email detailing the complaint(s) along with the initial triage email corresponding with the pending complaint sent as an attachment. This information helps remind ACIJs of the complaints they have due.

To find this information, open the “IJ complaint intake tracking” spreadsheet and input all open complaints as reflected in the spreadsheet. See below for a form email example (due to space, the table depicted in the email below has been edited). Previous email reports are also saved in the shared drive: eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → IJ Conduct & Professionalism → Reports → ACIJ Complaint Status (Quarterly)

NOTE: This report can be combined with “complaints closed FYXX QX” and vice versa if an ACIJ has pending complaints and closed complaints in that particular quarter.

To: ACIJ
 From: JCPU
 Cc: JCPU
 Subject: Quarterly Complaint Status FYXX QX

Good afternoon Judge [name],

As part of the JCPU’s quarterly review process, we are bringing to your attention the complaint(s) currently open under your responsibility. Please let us know if you have any updates to share.

As always, thank you for your work with the JCPU.

Complaint #	Days pending	IJ	ACIJ	Received	Ack. Sent	Forwarded to ACIJ	Intake Approved	Target Completion	Status	Last Action	Last Action
1584	85	Smith	Bell	1/19/22	1/20/22	1/24/22	1/26/22	3/19/22	OPEN		

5. Quarterly Reports: OCIJ Leadership – Complaints Closed FYXX QX

At the end of each quarter OCIJ leadership receives an email with all closed complaints in the quarter as presented in the tracking spreadsheet. This email should include the CIJ, PDIJ, and RDCIJs. Please cc the JCPU team members and the ELR inbox.

To find this information, open the “IJ complaint intake tracking” spreadsheet and input all closed complaints as reflected in the spreadsheet. See below for a form email example (due to space, the table depicted in the email below has been edited). Previous email reports are also saved in the shared drive: eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → IJ Conduct & Professionalism → Reports → OCIJ Leadership Complaints Closed (Quarterly).

Ensure you are checking this against COGNOS to confirm you entered each closed complaint. To do so, use the “opened and closed in time frame” report in COGNOS and enter the “closed begin date” as the start of the quarter and “closed end date” as the end of the quarter. Each complaint in the COGNOS report should be in the spreadsheet and in the email report.

To: CIJ, PDCIJ, RDCIJs
 From: JCPU
 cc: JCPU, ELR
 Subject: Complaints Closed FY[XX] Q[X]

Good afternoon Judges [CIJ], [PDCIJ], [DCIJs],

As part of the JCPU’s quarterly review process, below are the [number] complaints closed by ACIJs in the last quarter. Each ACIJ received an email, either identifying their closed complaints below. Please let us know if you have any questions.

complaint number	days pending	Name	ACIJ	date received	efile?	date ack. sent	date forwarded to or received from ACIJ	date intake form received/approved or "no complaint" concurrence	date IJ notified
5686	XXX	Spellman	Locke	XX/XX/XX	yes	XX/XX/XX	XX/XX/XX		XX/XX/XX
9643	X	Daniels	Burton	XX/XX/XX	Yes	XX/XX/XX	XX/XX/XX	XX/XX/XX	XX/XX/XX

6. Quarterly Reports: OCIJ Leadership – Complaints Status FYXX QX

At the end of each quarter, OCIJ leadership receives an email detailing all open and pending complaints along with the initial triage email corresponding with the pending complaints sent as attachments. This email should include the CIJ, PDIJ, and RDCIJ. Please cc JCPU team members and the ELR inbox.

To find this information, open the “IJ complaint intake tracking” spreadsheet and input all open complaints as reflected in the spreadsheet. See below for a form email example (due to space, the table depicted in the email below has been edited). Previous email reports are also saved in the shared drive: eoir-file-ood → ood-vol1 → Judicial Conduct and Professionalism Unit → IJ Conduct & Professionalism → Reports → OCIJ Leadership Complaint Status (Quarterly)

Ensure you are checking this against COGNOS to check you entered each closed complaint. To do so, use the “All Open Complaints by Age and ACIJ”²⁰ report in COGNOS. Each complaint in the COGNOS report should be in the spreadsheet and in the email report

To: CIJ, PDCIJ, RDCIJ
 From: JCPU
 cc: JCPU, ELR
 Subject: RDCIJ Quarterly Complaint Status FY[XX] Q[X]

Good afternoon Judges [CIJ], [PDCIJ], [RDCIJ],

As part of the JCPU’s quarterly review process, below and attached are the [number] complaints currently open under ACIJs’ responsibility. Each ACIJ received an email identifying their pending complaints below. Please let us know if you have any questions.

complaint number	days pending	Name	ACIJ	date received	efile?	date ack. sent	date forwarded to or received from ACIJ	date intake form received/approved or "no complaint" concurrence	date IJ notified
1468	XX	Collins	Brown	XX/XX/XX	yes	n/a	XX/XX/XX	XX/XX/XX	
7653	XX	Bush	Lopez	XX/XX/XX	Yes	n/a	XX/XX/XX	XX/XX/XX	

²⁰ Open COGNOS → click “team content” on the left-hand side → click “public reporting packages” → click “JCS” → click “shared reports” → click “Swanwick reports” → click “all open complaints by age and ACIJ.”