

Actions for processing complaints against IJs

(actions in blue are possible resolutions)

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Initial Processing
<ul style="list-style-type: none"> • source initiated communication • EOIR received communication from source • EOIR sent communication to source • EOIR requested additional information from source • additional information requested from source was received at EOIR • complaint referred to ACIJ • complaint re-opened • alleged conduct occurred • OCIJ consulting with ELR

OPR/OIG Processing	
OPR Processing	OIG Processing
<ul style="list-style-type: none"> • complaint referred to OPR • OPR declined to investigate or closed without further action • OPR finding <ul style="list-style-type: none"> ○ professional misconduct (intentional, reckless disregard) ○ no professional misconduct (poor judgment, mistake, IJ acted appropriately) • OPR recommendation <ul style="list-style-type: none"> ○ recommended discipline ○ other – [details] • OPR action referred to ACIJ 	<ul style="list-style-type: none"> • complaint referred to OIG • OIG referred complaint back to EOIR for management action • OIG issued report • other OIG action – [details] • OIG action referred to ACIJ

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)

Subsequent Action
<ul style="list-style-type: none"> • challenge filed (grievance, arbitration, EEOC, MSPB, other) • subsequent decision (reversed, upheld, mitigated) • subsequent decision imposed date(s)

Miscellaneous Action
<ul style="list-style-type: none"> • none of the above – [details]