



Council on Judicial Complaints

FY 2025 Budget Hearing Presentation

Submitted by: Taylor Henderson, Director

Agency Introduction



The **Council on Judicial Complaints** is the investigatory arm of a three-tiered system designed to address judicial misconduct. **The Council investigates allegations made against all state court judges, administrative law judges, municipal court judges, and members of board and commissions when acting in their quasi-judicial capacity.** Judicial misconduct includes specific violations set forth in the Oklahoma Constitution such as oppression and corruption, violations of the Code of Judicial Conduct, and other state law.

Founded in 1974, the Council was originally a subdivision of the Supreme Court; however, in 1999 the Council became an executive branch agency. Today, the Council on Judicial Complaints is comprised of 3 divisions for budgeting purposes: 1) General Operations, to include both judicial misconduct investigations and financial administration; 2) Judicial Education; and 3) IT. The Council is comprised of 3 members appointed by the Speaker of the House, Senate President Pro Tempore, and the Oklahoma Bar Association to five-year terms. The Agency employs two full time employees and contracts with a General Counsel and investigator.

If the Council determines a judge has committed misconduct requisite of removal from office, it may send its Findings and Recommendations to the Oklahoma Supreme Court, Oklahoma Supreme Court Chief Justice, Attorney General, Governor, Oklahoma House of Representatives, or Oklahoma Bar Association Board of Governors. Upon receipt, the entity to which the Council directed its Findings may, in its discretion, file a Petition with the Oklahoma Court on the Judiciary seeking the judge's removal from office. If the Council determines a judge has committed misconduct but discipline less than removal is appropriate, the Council may send its Findings and Recommendations to the Chief Justice of the Oklahoma Supreme Court. The Chief Justice may impose public or private discipline. Unless a Petition is filed with the Court on the Judiciary, the Council's investigation is confidential and afforded the same protections as information before the multi county grand jury.

Three Member Council



Cathy Christensen
Chairwoman



Richard Rose
Vice Chairman



Zack Taylor
Member



Agency Vision, Mission and Core Values

Vision: To better the administration of justice in this state by preserving the principles of justice

Mission: To efficiently and impartially investigate complaints regarding the conduct of persons holding judicial positions and to determine if such complaints should be the subject of an action before the Court on the Judiciary, the Oklahoma Supreme Court, or should be dismissed.

Core Values: impartiality, public confidence, and integrity.



Accomplishments, Efficiencies & Challenges

Top accomplishments for FY 2023 - 2024

- 1) Partnered with the Administrative Office of the Courts & Oklahoma Supreme Court in December 2022 to host a five-day Judicial College and Training for Newly-Elected Judges following the November 2022 general election
 - **Resulted in approximately \$288,000 savings/efficiency (\$72,000 vs. \$360,000)
- 2) Successfully investigated and submitted to the Council for consideration a record number of complaints filed with the agency within the year despite decreased resources

Challenges (current & upcoming years)

- 1) Maintaining ability to fully investigate and issue a disposition within 90 days for greater than 90% of complaints. The increasing number of complaints filed with the agency vs. resources is beginning to result in delayed disposition rates.
- 2) Resolving the convergence of declining fee collection revenue (agency's sole source of funding) with simultaneous increase in agency's expenditures due to number and scope of investigations and inflation.



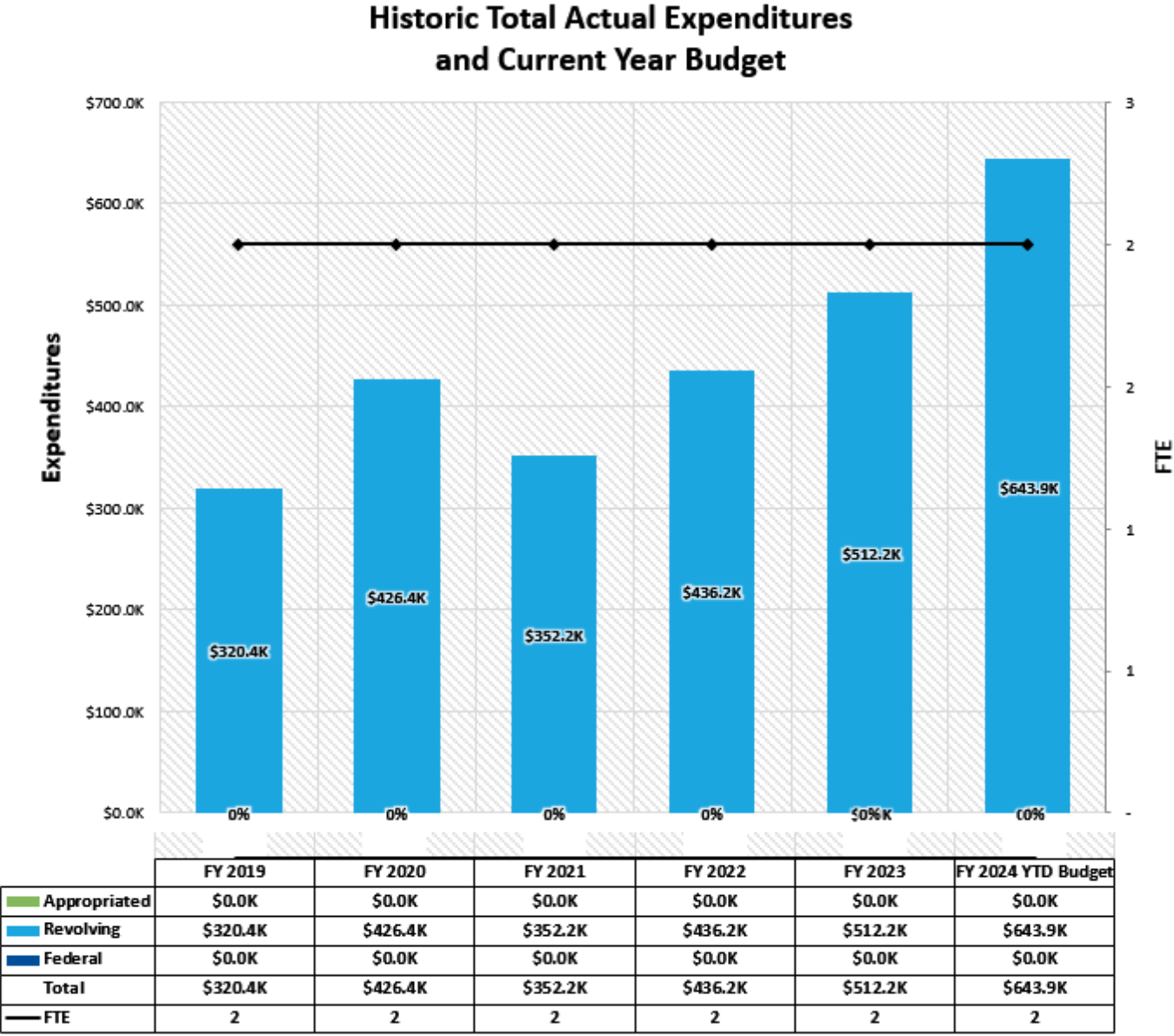
Agency Key Performance Metrics

Metric		Goal	FY 22 Actuals	FY 23 Actuals	FY 24 Target	FY 25 Target
1	Number of individual judges with whom the Council on Judicial Complaints engaged for the purpose of providing timely and Oklahoma-specific judicial education	Judicial Education (21 O.S. § 1651.1)	340	390	300 *have already achieved 210	300
2	The percentage of complaints resolved within ninety (90) days for instances in which the complaint is not referred for disciplinary proceedings or action.	Fairly and efficiently investigate complaints of judicial misconduct	97%	98%	90%	90%
3						
4						
5						



Historic Actual Expenditures (FY 19-23) and Current Year Budget (FY 24)

Beginning in FY 2020, the Council commenced hosting a Judicial College training event for newer and incoming judges shortly following the general election. Increases in expenditures every 4 years are attributable to this event. Additionally, due to its success, this has been expanded from a three-day event to a five-day event for December 2022 (FY 2023).

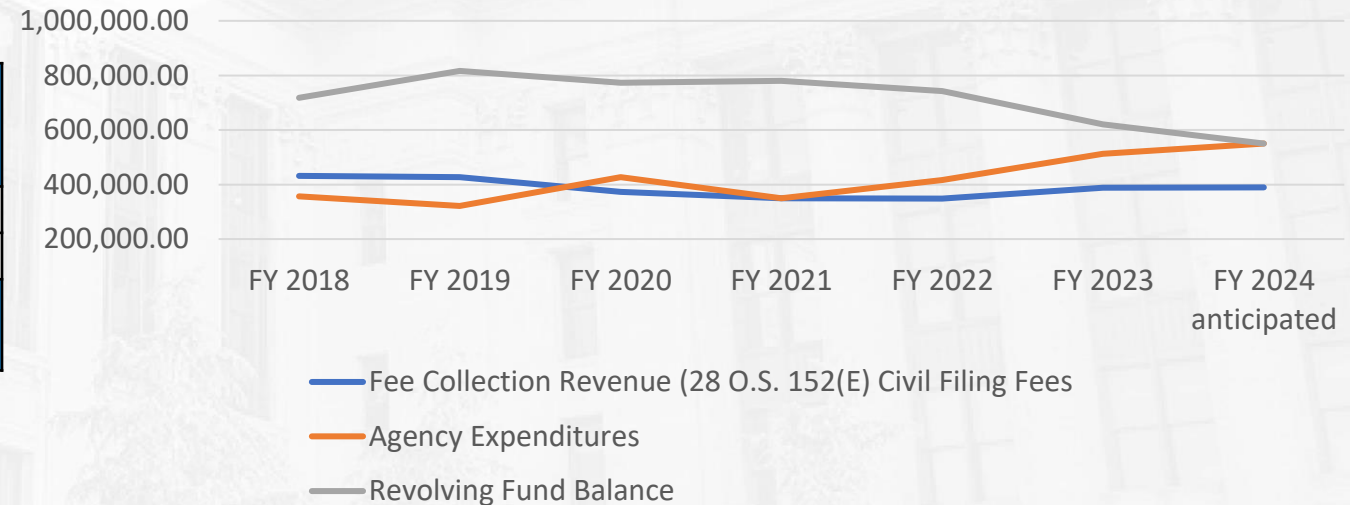


Financial Resource Analysis

	FY 2020	FY 2021	FY 2022	FY 2023
Historical Cash Balances	\$773,918	\$779,884	\$742,068	\$621,844
	FY 2020	FY 2021	FY 2022	FY 2023
Historical Revenue	\$373,270	\$349,408.79	\$347,948	\$387,999
	FY 2020	FY 2021	FY 2022	FY 2023
Historical Expenditures	\$426,400	\$352,200	\$436,200	\$512,200

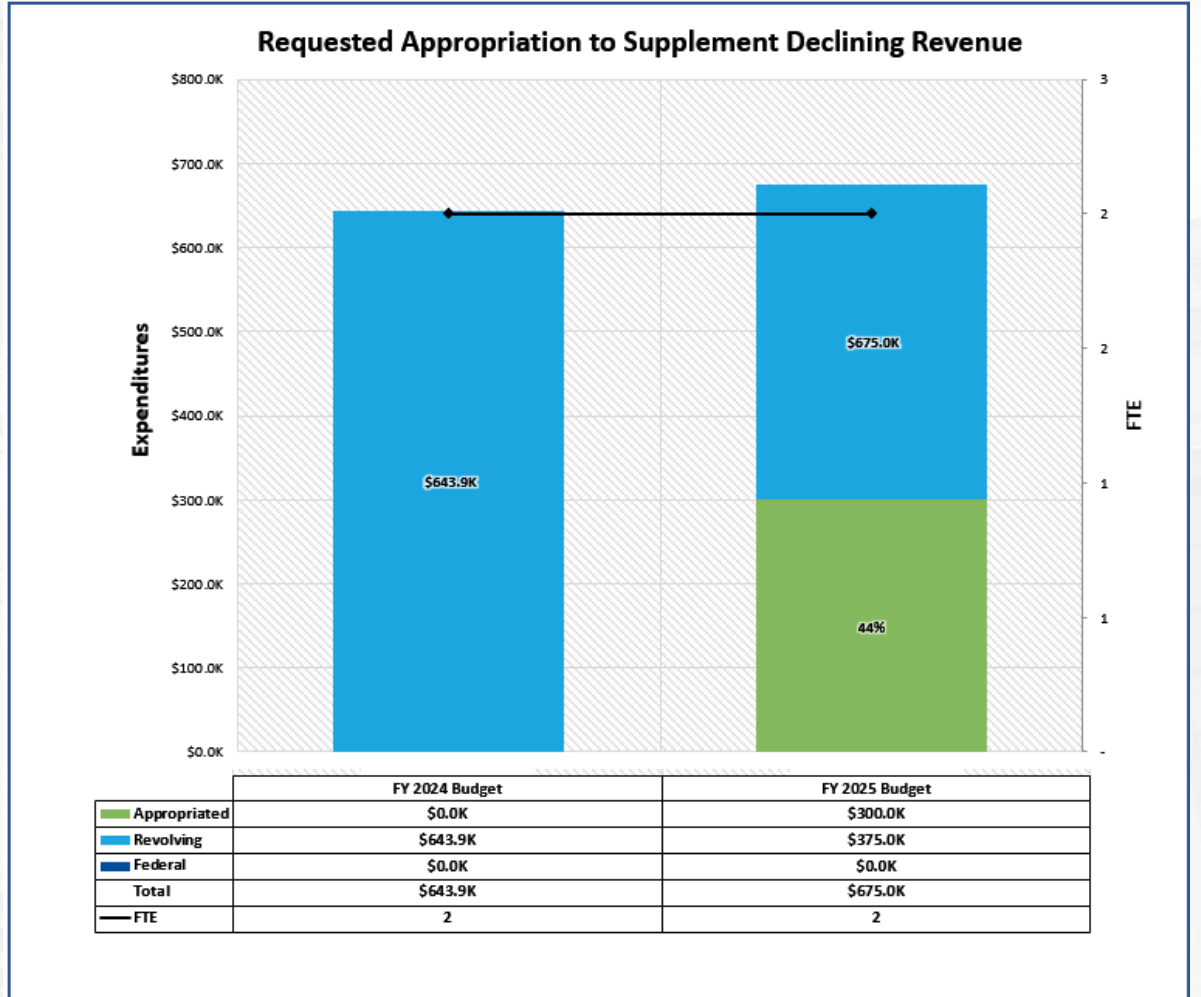
Class Fund # (Unrestricted only)	Class Fund Name (Unrestricted only)	Current cash balance (\$)
20000	COJC Revolving Fund	\$570,770
Total Current Unrestricted Fund Cash balance:		\$570,770

Declining Revenue vs. Increasing Expenditures



Budget & Supplemental Request Summary

Request Name		FY 2025 Appropriated Request Amount (\$) {for FY 2024 for Supplementals}	Type of Request: Operating, One-time, or Supplemental
1	Appropriated Funds to Supplement Declining Fee Revenue	\$300,000	Operating
2			
3			
4			
5			



Operating Budget Request

Name of Request: Appropriated Funds to Supplement Declining Fee Revenue

Type: Operating

\$ Amount Requested for FY 2025: \$300,000

The Council is a non-appropriated agency, fully funded by court filing fees. Since FY 2016, when the Council's filing fee was amended from \$2.00 per civil filing to \$1.55 per civil filing, fee revenue has continually declined, now by 20% (\$489,865.64 in FY16 to \$387,999.26 in FY23). During FY21 and FY22, the decrease was 28%. Simultaneously, the number of complaints received by the agency has increased by 82% (from 165 in 2016 to more than 300 anticipated in 2023). This results in additional legal fees paid to the agency's contract general counsel. Additionally, the Council's investigations have become more robust over time, resulting in increased expenditures. Accordingly, the fee revenues are no longer adequate to sustain the agency. The Council has continued to use reserve funds for the past 5 years to account for these deficiencies, but the reserve funds are now equal to the agency's annual budget. Within 2.5 years, the Council will be without reserve funds. For this reason, the Council is requesting either an increase in fee revenue or an appropriation to fully fund the Council's budget. The Council's anticipated budget is \$675,000 to fulfill its mission in light of the current number of complaints being received. This would require a \$300,000 supplement to the agency, whether through increased fee collection or appropriated funds.





FY 2025 Budgeted Full Time Equivalents (FTE)

	FY 2022 Budgeted FTE
Total FTE	2
Supervisor FTE	1
Supervisors to Total FTE Ratio (%)	100%

Goals & Projects for FY 2025

- 1) Identify and implement a case management system that can streamline the labor associated with the Agency's complaint process. The system needs to be able to interface with the Agency's website complaint portal and automatically store and distribute key information to necessary parties.
- 2) Amend agency's administrative rules and propose new legislation in an effort to create a consistent framework between Agency rules, statute, and Supreme Court Rules.
- 3) Publish and distribute handbooks and guides for practice and procedures within the judicial disciplinary process.

