

Judicial Qualifications Commission

State of South Dakota

Complaints Received and Dispositions

	FY2011	FY2010	FY2009	FY2008	FY2007
Oral Complaints/Inquiries (No action by JQC)	4	6	5	4	15
Written Complaints Received *	49	22	27	34	16
Complaints Disposed of **	55	20	32	32	15
Type of Cases:					
Prisoner Complaints (Includes Habeas Corpus)	20	6	4	6	7
Divorce/Child Custody/Child Support Issues	4	3	11	10	4
Protection Order Cases	0	1	0	0	0
Civil Trial Issues (Includes Decisions)	14	5	6	6	0
Criminal Trial Issues (Includes Sentencing)	2	3	2	6	1
Personal Conduct	3	1	0	1	0
Small Claims	4	3	3	5	2
Guardianship/Conservatorship	0	0	0	0	2
Unknown	2	0	1	0	0
Nature of Claims in Complaints:					
Inappropriate Conduct/Abuse of Position	7	4	2	3	2
On Bench Abuse of Authority	12	1	0	0	3
Lack of Demeanor/Decorum	5	1	4	7	2
Bias/Appearance of Bias	6	10	5	8	4
Unhappy with Result	19	6	16	16	10
Commission Dispositions:					
1. Dismissal due to:					
a. Insufficient Evidence to Proceed (Unsigned Complaint, Complainant Uncooperative)	7	7	5	6	3
b. Lack of Jurisdiction***	37	10	2	13	2
c. Resigned Due to JQC Investigation	2	0	0	0	0
d. Unsubstantiated	1	0	6	8	4
e. No Violation Found	2	0	16	5	6
2. Private Reprimand	1	3	3	0	0
3. Deferred Disciplinary Agreement	0	0	0	0	0
4. Public Censure	0	0	0	0	0
5. Recommendation for Suspension	0	0	0	0	0
6. Recommendation for Removal/Retirement	1	0	0	0	0
JQC Applicants					
Judicial Vacancies	3	1	4	1	4
Applicant Interviews	48	17	40	12	28
Investigation of Applicants	48	18	41	12	28

*Written Complaints Received, Type of Cases and Nature of Claims in Complaints reflect complaints received in that fiscal year.

**Complaints Disposed of and Commission Dispositions reflect some complaints received in that fiscal year but not disposed of until the following fiscal year and some complaints that were both received and disposed of in this fiscal year.

***JQC does not have the authority to direct a judge to take legal action or to review a case for judicial error, mistake or other legal grounds. Those functions are for the State Supreme Court. Therefore, allegations stemming from a judge's ruling or exercise of discretion do not provide a basis (jurisdiction) for JQC action.