



# Inspector General of the Federal Courts

**The Inspector General of the Federal Courts** is a position proposed in both houses of the United States Congress. An Inspector General would conduct investigations of alleged misconduct of federal judges, act to prevent fraud and waste, and recommend changes to the judicial branch. Differences exist between the Senate and House versions of the bill, such as whether the justices of the Supreme Court of the United States would be subject to the authority of this position. This position has been proposed several times, at least in 2009, 2011 and 2013.<sup>[1][2][3]</sup>

This bill was reintroduced by Senator Grassley in the Senate 113th Congress on March 14, 2013, and was renamed Senate Bill 575: Judicial Transparency and Ethics Enhancement Act of 2013. The bill was also reintroduced by Representative Sensenbrenner in the House on the same day, named H.R. 1203: Judicial Transparency and Ethics Enhancement Act of 2013.<sup>[4][5]</sup>

## Background

This legislation was introduced by Congressman Jim Sensenbrenner of Wisconsin and U.S. Senator Chuck Grassley of Iowa in 2009, 2011 and 2013. In a statement in 2013, Senator Grassley made the case that three government bodies with budgets smaller than the judiciary already have Inspector Generals. He also expressed disapproval with the "self-regulation of judges with respect to ethics."<sup>[6]</sup>

“ Federal judges must live by the highest of standards. When misconduct, waste, fraud and abuse occur, the public’s confidence in the federal judiciary is eroded. A good inspector general can detect, expose and deter problems and help keep accountability with the American people.<sup>[6] [7]</sup> ”

## Term and appointment

As listed in *The Judicial Transparency and* of Inspector General shall be appointed by term of four years. Also, the legislation give Inspector General from office at anytime for prescribed duties.

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## Proposed responsibility

- To conduct investigations of alleged misconduct of judges in the judicial branch under the Judicial Conduct and Disability Act of 1980 (Senate version includes the Supreme Court), that may require oversight or other action by Congress;
- To conduct and supervise audits and investigations
- To prevent and detect waste, fraud and abuse
- To recommend changes in laws or regulations governing the Judicial Branch<sup>[3][6]</sup>

## Requirements

- To provide the Chief Justice and Congress with an annual report on the Inspector General's operations
- To make prompt reports to the Chief Justice and to Congress on matters which may require further action
- To refer to the Department of Justice any matter that may constitute a criminal violation<sup>[6]</sup>

## Prohibitions

- The Inspector General is strictly prohibited from investigating or reviewing the merits of a judicial decision in any federal court.
- The investigatory powers of the Inspector General are limited to only alleged misconduct under the Judicial Conduct and Disability Act of 1980.
- The Inspector General may only commence an investigation after the judiciary has conducted its review of an ethical complaint under the 1980 Act.
- The bill would establish whistle blower protections for individuals within the judicial branch, in that it is illegal to fire any federal employee in the basis of retaliation when coming forward to investigators on alleged misconduct<sup>[6]</sup>

## Footnotes

1. *OpenCongress*, "Senate Bill 220 - Judicial Transparency and Ethics Enhancement Act of 2009"
  2. *OpenCongress*, "House Bill 486 - Judicial Transparency and Ethics Enhancement Act of 2009"
  3. *The Wall Street Journal*, "Bills Seek"
  4. *GovTrack.us*, "S. 575 - Judicial Tran"
  5. *The Times Discourse*, "Participating"
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