



Comment on Draft Amendments to Rules for Judicial-Conduct and Judicial-Disability Proceedings

Judge Paul Kelly (App Judge)

to:

JudicialConductRules

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**Comment on Commentary on Rule 21.**

I recommend the following change (in italics):

Any review under Rule 21(b)(2) will be conducted as soon as practicable after the dismissal or conclusion at issue, *but a decision whether to review will in no event be made more than 63 days after such dismissal or conclusion.*

Rule 21(b)(1) allows a complainant or judge to petition for review of a judicial-council order within 42 days. See Rule 22(c). The Committee may also review a matter upon its own initiative. Rule 21(b)(2). Fundamental fairness suggests that review upon the Committee's initiative should not be extended indefinitely. My suggested language would require the Committee to make a decision whether to review within three weeks after the time for a complainant to seek review.

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