OCIJ Procedure for Handling Complaints Against Immigration Judges

1. Formal complaint containing all requested elements
2. Acknowledge receipt
3. OPR, if there is an appearance or allegation of professional misconduct
4. OIG, if there are allegations of criminal conduct or serious waste, fraud or abuse
5. ACIJ consults with ACIJ C/P, who consults with OPR and OIG, as necessary, on the proper course of action
6. ACIJ investigates complaint, as necessary and appropriate
   - review hearing record
   - contact complainant, judge & witnesses
7. EOIR management action required?
   - yes
     - ACIJ and/or ACIJ C/P may consult with E/LR and/or ACIJ T/E on appropriate action
   - no
     - conclude complaint
       - corrective action
         - counseling
         - training
         - performance-based action (PIP)
       - disciplinary action
         - reprimand
         - suspension
         - removal from federal service
     - dismiss complaint
       - frivolous
       - merits-related
       - allegations disproven
       - allegations cannot be substantiated
       - fails to state a claim
8. Information from any source that comes to the attention of OCIJ
9. ACIJ consults with ACIJ C/P, who consults with OPR and OIG, as necessary, on the proper course of action
10. named complainant with contact info?
    - yes
    - no
    - if appropriate for general training, consult with ACIJ T/E
11. complaint
    - assign complaint number
    - enter into tracking database
12. suggests inappropriate conduct?
    - yes
    - no
    - not a complaint
13. formal complaint containing all requested elements
14. conclude complaint
    - corrective action
      - counseling
      - training
      - performance-based action (PIP)
    - disciplinary action
      - reprimand
      - suspension
      - removal from federal service
15. dismiss complaint
    - frivolous
    - merits-related
    - allegations disproven
    - allegations cannot be substantiated
    - fails to state a claim