



Complainant subsequently filed a motion to vacate the order of substitution, which was denied.\*

Complainant maintains that the subject matter of her appeal is not part of her bankruptcy estate because it involves a matter of family law. Therefore, she maintains, the trustee was without standing to move for substitution, and the circuit judges were without authority to consider the motion. Complainant alleges that the judges disrespected her appeal rights and her bankruptcy exemption rights by relegating her informal brief to the trash bin and ordering briefing only by the trustee and the appellees, all of whom are adverse to her position. According to complainant, the judges' actions were not mere legal errors subject to challenge only through the appellate process. Rather, their actions were so egregiously contrary to law that the nature and magnitude of their errors presupposes willfulness.

The Judicial Conduct and Disability Act affords a remedy for "conduct prejudicial to the effective and expeditious administration of the business of the courts." 28 U.S.C. § 351(a). Review of allegations that are "[d]irectly related to the merits of a decision or procedural ruling" is generally barred under the Act. 28 U.S.C. § 352(b)(1)(A)(ii). However, a judge's

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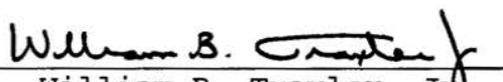
\* Complainant's judicial complaint does not identify the judges against whom the complaint is filed because the court's orders allowing substitution and denying the motion to vacate did not identify the panel that acted on the motions.

"pattern and practice of arbitrarily and deliberately disregarding prevailing legal standards and thereby causing expense and delay to litigants" can amount to misconduct if there is "clear and convincing evidence of willfulness, that is, clear and convincing evidence of a judge's arbitrary and intentional departure from prevailing law based on his or her disagreement with, or willful indifference to, that law." Memorandum of Decision, 517 F.3d 558, 562 (U.S. Jud. Conf. 2008).

Complainant's allegations do not meet this standard. The panel's orders allowing substitution were supported by the submissions before the court and did not constitute an arbitrary and intentional departure from prevailing law. Complainant's belief in the correctness of her own arguments is not proof of misconduct or disability under the Act. See In re Doe, 640 F.3d 869, 873 (8th Cir. 2011) (Allegations of judicial misconduct "must be dismissed as merits-related when the only support for the allegation of bad acts or motive is the merits of the judge's rulings.").

This complaint is, accordingly, dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii).

IT IS SO ORDERED.

  
William B. Traxler, Jr.  
Chief Judge