



Background:

The Judicial Tenure Commission (JTC) was established by a 1968 amendment to the Michigan Constitution (Article VI, Section 30) and operates under Michigan Court Rules governing judicial discipline (see Question 1 for more details). JTC's purpose is to enforce high standards of ethical conduct for judges*. JTC investigates allegations of judicial misconduct and disability, conducts hearings as appropriate, recommends sanctions to the Michigan Supreme Court, and works to enhance the integrity of the judiciary.

The Commission consists of 5 judges, 2 attorneys, and 2 lay persons, all serving 3-year staggered terms. The executive director is hired by, and reports directly to, the Commission. The executive director oversees the investigation of grievances and is the disciplinary counsel handling public proceedings. The executive director is also the primary liaison between the Commission and the judiciary, the public, and the media.

On December 21, 2023, the Michigan Supreme Court issued Administrative Order No. 2023-2 authorizing an independent audit of JTC's files to review racial composition of the judges about whom JTC receives complaints. JTC and the Michigan State Court Administrative Office (SCAO) contracted with the National Center for State Courts (NCSC) to perform an assessment of JTC grievances between 2008 and 2022. NCSC's assessment consisted of a statistical review of key decision points and outcomes in the grievance process to determine if, and where in the process, disparities and/or disproportionalities exist. NCSC issued a [Phase I report](#) in August 2024 and a [Phase II report](#) in August 2025.

The JTC had an interim executive director, 9 full-time and 2 part-time attorneys, and 1 volunteer attorney as of May 2026. These staff members are state employees. The JTC's budget totaled \$2,944,500 for fiscal year 2026 from State general fund/general purpose appropriations.

Questions and Answers:

Q1: What authority and rules are applicable to JTC operations?

A1: Article VI, Section 30 of the Michigan Constitution establishes the JTC and provides authority to investigate and prosecute allegations of judicial misconduct (see Exhibit 1). The section also directs the Michigan Supreme Court to adopt implementing rules, including provisions governing confidentiality and privilege in Commission proceedings. [Subchapter 9.200 of the Michigan Court Rules](#) were adopted to fulfill this constitutional mandate and govern the Commission's operations. The rules establish procedures for processing requests for investigation, conducting investigations, holding hearings, and making disciplinary recommendations concerning judges. In addition, the rules allow the Commission to adopt and publish internal operating procedures for its internal operation and the administration of its proceedings, which are available on JTC's website.

* See glossary at end of report for definition.

Q2: What confidentiality and/or disclosure requirements are applicable to JTC?

A2: Under Article VI, Section 30 of the Michigan Constitution, the Michigan Supreme Court must adopt rules governing confidentiality and privilege in judicial disciplinary proceedings. Michigan Court Rule 9.261 sets standards to keep Commission proceedings and materials confidential while allowing disclosure in authorized circumstances. See Exhibit 2 for the entirety of confidentiality and disclosure rules contained in Rule 9.261. In summary, Michigan Court Rule 9.261:

- States that, unless otherwise provided in the rule, all papers filed with the Commission and all proceedings before it, are confidential in nature and are absolutely privileged from disclosure by the Commission or its staff, including former members and employees, in any other matter, including but not limited to civil, criminal, legislative, or administrative proceedings. All the Commission's investigative files and Commission-generated documents are likewise confidential and privileged from disclosure.
- Provides for disclosure, as follows:
 - Allows respondents* to disclose information regarding their own conduct.
 - Permits discretionary waiver of confidentiality during preliminary investigation with consent of the respondent, grievant*, witnesses, and a majority of the Commission.
 - Permits limited public statements by the Commission by a majority vote for matters where it is in the public interest to do so.
 - Authorizes disclosure for public safety.
 - Provides that once a public complaint* is issued, proceedings become public, while pre-complaint materials remain confidential unless introduced into evidence.
 - Requires the Commission to inform the grievant of certain matters upon completion of an investigation or proceeding on a complaint.
 - Authorizes disclosures to specified individuals and/or entities including the State Court Administrator, Attorney Grievance Commission, State Bar Judicial Qualifications Committee, and state bar lawyers and Judges Assistance Program.
 - Permits disclosure to a chief judge in matters involving magistrates or referees.

Q3: What is JTC's process for receipt and investigation of grievances?

A3: The grievance process begins when a grievant files a request for investigation* (RFI) with the JTC alleging judicial misconduct. JTC conducts an initial assessment of the RFI, classifies the file by type of complaint (e.g., demeanor, bias/prejudice, delay, etc.), notifies the grievant a file has been opened, and then assigns it to a JTC staff attorney for preliminary investigation. The assigned JTC staff attorney reviews the complaint and any supporting documentation or other evidence provided by the grievant. The staff attorney may contact the grievant or the grievant's attorney to request additional information or documents, and, with the consent of the executive director, may review the court file.

* See glossary at end of report for definition.

Upon completing the preliminary investigation, the assigned staff attorney prepares a report for the Commission recommending a course of action. Each grievance is considered and voted upon by the Commission, which determines whether the matter is within its jurisdiction and whether sufficient facts exist to warrant further investigation. The Commission may:

- **Summarily dismiss the grievance.** The Commission may dismiss the RFI when the allegations clearly fall outside its jurisdiction or do not involve judicial misconduct. The Commission identifies these matters as summary dismissals and closes the grievance without further investigation.
- **Approve the grievance for further investigation.** Once approved by the Commission, the staff attorney may contact and interview other witnesses and attorneys, request transcripts, and solicit the judge's response to the grievance. JTC staff prepare summaries to keep the Commission apprised of the status of investigations. Thereafter, the Commission may:
 - **Dismiss an investigation at any point.** If an investigation reveals facts that warrant dismissal of the grievance based on lack of jurisdiction or as the allegations are found to be untrue or unprovable, it may be closed. The Commission may also dismiss a matter contingent upon the judge satisfying conditions imposed by the Commission, which may include a period of monitoring of the judge's conduct. The failure of the judge to satisfy the conditions may delay the resolution of the grievance.
 - **Approve non-public corrective action.** After an investigation and opportunity for the judge to provide comments to the allegations, the Commission may determine:
 - Although there was no judicial misconduct, certain actions of the judge should preferably not be repeated. On those occasions, the Commission may dismiss the matter with a **letter of explanation** to the judge. A cautionary letter is not a form of discipline and is confidential.
 - Improper or questionable conduct did occur, but it was relatively minor. The Commission will dismiss the case with a **cautionary letter** to the judge. In those matters, the Commission will advise caution, or express disapproval, of the judge's conduct. A letter of explanation is not a form of discipline and is confidential.
 - When more troublesome conduct is found, the Commission may issue an **admonishment**. This is designed, in part, to bring problems to a judge's attention at an early stage in the hope the misconduct will not be repeated or escalate. An admonishment consists of a notice to the judge containing a description of the improper conduct and the conclusions reached by the Commission. An admonishment is confidential.
 - **Approve issuance of a public complaint.** If the investigation shows there is evidence of judicial misconduct, the Commission determines whether the allegations warrant public action. **Before issuing a public complaint**, the Commission provides the judge with written notice of the allegations called "the 28-day letter," giving the judge 28 days to respond with information about the allegations and any other relevant details. In some circumstances, a judge may resign after the Commission provides the 28-day letter. Upon resignation, JTC loses jurisdiction, closes the investigation, and keeps the matter confidential, though the Commission

may refer the file to the Attorney Grievance Commission or another appropriate authority for further review.

After the judge has filed an answer to the charges, the **Commission authorizes and files a public complaint**, making the complaint and all subsequent pleadings, findings, and reports public. The Commission schedules a hearing before a neutral* (an active or retired judge) appointed by the Michigan Supreme Court. The neutral conducts the hearing, reviews evidence, and issues a report summarizing the proceedings and presenting findings of fact and conclusions of law, which the Commission receives and serves on the respondent and disciplinary counsel.

The respondent or disciplinary counsel may file objections in a brief addressing all or part of the report and possible sanctions. The Commission then issues written findings of fact and conclusions of law, independently evaluating the record and adopting, modifying, or rejecting the neutral's findings, along with its recommendation for discipline, which it submits to the Michigan Supreme Court. The Michigan Supreme Court issues an opinion and judgment directing censure, suspension, retirement, removal, other disciplinary action, or rejects and modifies the Commission's recommendation.

Q4: Has JTC implemented, or have plans to implement, changes to internal processes or take other action(s) in light of public interest in alleged racial differences in JTC public outcomes?

A4: JTC executed a third contract with NCSC in May 2026 to conduct a Phase III examination of JTC's operations that may recommend specific policies and procedures that JTC could adopt to reduce the possibility of implicit bias. JTC informed us it is open to making internal changes, if necessary, and looks forward to receiving NCSC's Phase III recommendations, which is planned to be completed by the end of 2026.

According to the Phase III contract's Scope of Work (see Exhibit 3), NCSC will conduct a comprehensive analysis of judicial disciplinary processes to examine potential racial disparities in how RFIs are filed, processed, and resolved against Black judges compared to White judges. The Phase III analysis will move beyond Phase II's findings to provide actionable insights into how JTC policies and practices may contribute to or mitigate inequitable outcomes. NCSC's Phase III report will identify procedural vulnerabilities, if any, which may play a role in creating conditions that either exacerbate or limit the influence of implicit biases on decision-making within the Michigan JTC, and will recommend evidence-based best practices for strengthening safeguards within the judicial discipline system. The Scope of Work outlines four primary tasks to be accomplished by NCSC, as follows:

- **Task One: Investigation of the Disproportionality of Total RFIs Filed Against Black Judges**
NCSC will analyze RFIs to determine whether filing patterns differ based on the race of the judge. The analysis will examine jurisdictional, court, and RFI-level factors for all RFIs recorded within the study period and identify factors associated with any observed disproportionality.
- **Task Two: Disproportionality of "Full Investigations" Due to Transcripts Included in RFIs**
The goal of this task is to identify any patterns in RFI filings without an attached transcript and factors associated with disproportionate progression to full investigation for Black judges in transcript-only cases*, supported by descriptive statistics clarifying those drivers.

- **Task Three: Differences in Severity of Outcomes by Allegation Severity**
The goal of this task is to examine what, if any, relationship exists between allegation severity, Michigan JTC findings, and the severity of outcomes for cases reaching full investigation.
- **Task Four: Identifying Potential for Implicit Bias**
NCSC will assess JTC policies, procedures, and investigative processes to examine how organizational practices may play a role in creating conditions that either exacerbate or limit the influence of implicit biases on decision-making and to identify best practices for strengthening safeguards against those effects.



State Constitution of Michigan of 1963 (Excerpt)

**STATE CONSTITUTION (EXCERPT)
CONSTITUTION OF MICHIGAN OF 1963**

§ 30 Judicial tenure commission; selection; terms; duties; power of supreme court.

Sec. 30.

(1) A judicial tenure commission is established consisting of nine persons selected for three-year terms as follows: Four members shall be judges elected by the judges of the courts in which they serve; one shall be a court of appeals judge, one a circuit judge, one a probate judge and one a judge of a court of limited jurisdiction. Three shall be members of the state bar who shall be elected by the members of the state bar of whom one shall be a judge and two shall not be judges. Two shall be appointed by the governor; the members appointed by the governor shall not be judges, retired judges or members of the state bar. Terms shall be staggered as provided by rule of the supreme court. Vacancies shall be filled by the appointing power.

(2) On recommendation of the judicial tenure commission, the supreme court may censure, suspend with or without salary, retire or remove a judge for conviction of a felony, physical or mental disability which prevents the performance of judicial duties, misconduct in office, persistent failure to perform his duties, habitual intemperance or conduct that is clearly prejudicial to the administration of justice. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of proceedings.

History: Add. H.J.R. PP, approved Aug. 6, 1968, Eff. Sept. 21, 1968

Source: Michigan Constitution (Article VI, Section 30).



Michigan Court Rule 9.261 - Confidentiality; Disclosure

Rule 9.261 Confidentiality; Disclosure

- (A) Scope of Rule. Except as provided in this rule, all papers filed with the commission and all proceedings before it are confidential in nature and are absolutely privileged from disclosure by the commission or its staff, including former members and employees, in any other matter, including but not limited to civil, criminal, legislative, or administrative proceedings. All the commission's investigative files and commission-generated documents are likewise confidential and privileged from disclosure. Nothing in this rule prohibits the respondent from making statements regarding the respondent's conduct.
- (B) Before Filing a Complaint.
- (1) Before a complaint is filed, neither a commissioner nor a member of the commission staff may disclose the existence or contents of an investigation, testimony taken, or papers filed in it, except as needed for investigative purposes.
 - (2) The commission may at any time make public statements as to matters pending before it on its determination by a majority vote that it is in the public interest to do so, limited to statements
 - (a) that there is an investigation pending,
 - (b) that the investigation is complete and there is insufficient evidence for the commission to file a complaint, or
 - (c) with the consent of the respondent, that the investigation is complete and some specified disciplinary action has been taken.
- (C) Discretionary Waiver of Confidentiality or Privilege. The commission may waive the confidentiality or privilege protections if:
- (1) the respondent waives, in writing, the right to confidentiality or privilege;
 - (2) the grievant waives, in writing, the right to confidentiality or privilege;
 - (3) the witness whose statement, testimony, or other evidentiary item will be disclosed waives, in writing, the right to confidentiality or privilege; and
 - (4) a majority of the commission determines that the public interest will be served by doing so.
- (D) After Filing of Complaint
- (1) When the commission issues a complaint, the following shall not be confidential or privileged:
 - (a) the complaint and all subsequent pleadings filed with the commission or neutral, all stipulations entered, all findings of fact made by the neutral or commission, and all reports of the neutral or commission; however, all papers filed with and proceedings before the commission

during the period preceding the issuance of a complaint remain confidential and privileged except where offered into evidence in a formal hearing; and

(b)the formal hearing before the neutral or commission, and the public hearing provided for in MCR 9.241.

(2)This subrule neither limits nor expands a respondent's right to discovery under MCR 9.232.

(3)The confidentiality or privilege of any otherwise nonpublic disciplinary action is waived in any proceeding on a concurrent or subsequent complaint.

(E)Disclosure to Grievant. Upon completion of an investigation or proceeding on a complaint, the commission shall disclose to the grievant that the commission

(1)has found no basis for action against the respondent or determined not to proceed further in the matter,

(2)has taken an appropriate corrective action, the nature of which shall not be disclosed, or

(3)has recommended that the respondent be publicly censured, suspended, removed, or retired from office.

(F)Public Safety Exception. When the commission receives information concerning a threat to the safety of any person or persons, information concerning such person may be provided to the person threatened, to persons or organizations responsible for the safety of the person threatened, and to law enforcement or any appropriate prosecutorial agency.

(G)Disclosure to State Court Administrator.

(1)The commission may refer to the state court administrator requests for investigation and other communications received by the commission concerning the conduct of a judge if, in the opinion of the commission, the communications are properly within the scope of the duties of the administrator. The commission may provide the administrator with files, records, investigations, and reports of the commission relating to the matter. Such a referral does not preclude action by the commission if the judge's conduct is of such a nature as to constitute grounds for action by the commission or cannot be adequately resolved or corrected by action of the administrator.

(2)The commission may disclose to the administrator, upon request, the substance of files and records of the commission concerning a former judge who has been or may be assigned judicial duties by the administrator; a copy of the information disclosed must be furnished to the judge.

(H)Disclosure to Attorney Grievance Commission. Notwithstanding the prohibition against disclosure in this rule, the commission shall disclose information concerning a judge's misconduct in office, mental or physical disability, or some other ground that warrants commission action under Const 1963, art 6, § 30, to the Attorney Grievance Commission upon request. Absent a request, the commission may make such disclosure to the Attorney Grievance Commission. In the event of a dispute concerning the release of information, either the Attorney Grievance Commission or the Judicial Tenure Commission may petition the Supreme Court for an order resolving the dispute.

- (I) Disclosure to Chief Judge. Notwithstanding the prohibition against disclosure in this rule, and except for those situations that involve a dismissal with explanation, the commission shall notify the chief judge of a court when the commission has taken action under MCR 9.223(A)(2)-(5) involving a magistrate or referee of that court. Upon the chief judge's request, the referee or magistrate shall provide the chief judge with a copy of the commission's written notice of disposition.
- (J) Notwithstanding the prohibition against disclosure in this rule, upon request the commission may disclose some or all of the information in its possession concerning a judge's misconduct in office, mental or physical disability, or some other ground that warrants commission action under Const 1963, art 6, § 30, to the State Bar Judicial Qualifications Committee, or to any other officially authorized state or federal judicial qualifications committee that meets or exceeds the confidentiality requirements established by the State Bar of Michigan in Rule 19, sec. 2 of the Rules Concerning the State Bar.
- (K) Notwithstanding the prohibition against disclosure in this rule, either upon request or on its own motion, the commission may disclose some or all of the information concerning a judge's misconduct in office, mental or physical disability, or some other ground that warrants commission action under Const 1963, art 6, § 30, to the State Bar Lawyers & Judges Assistance Program.

Source: Rule 9.261 from the Michigan Court Rules adopted by the Michigan Supreme Court.



Scope of Work for NCSC's Phase III Review

SCOPE OF WORK

In Phase III of this project, the National Center for State Courts (NCSC) will conduct a comprehensive analysis of judicial disciplinary processes to examine potential racial disparities in how Requests for Investigation (RFIs) are filed, processed, and resolved against Black judges compared to their White counterparts. Through four interconnected tasks—investigating disproportionality in RFI filings, examining the role of transcript evidence in investigation outcomes, analyzing relationships between allegation severity and disciplinary outcomes, and assessing implicit bias within organizational procedures—this phase will move beyond Phase II's findings to provide actionable insights into how judicial conduct commission policies and practices may contribute to or mitigate inequitable outcomes. The final report will identify specific procedural vulnerabilities to implicit bias and recommend evidence-based best practices for strengthening safeguards within the judicial discipline system.

Task One: Investigation of the Disproportionality of Total RFIs Filed Against Black Judges

NCSC will perform analyses of Requests for Investigation (RFIs) to determine whether filing patterns differ by judge race. Phase I found that "Race was not associated with an increased likelihood of a judicial officer being a respondent to at least one grievance [...], however, race was significantly associated with the number of grievances filed [...]." The analyses will examine jurisdictional, court, and RFI-level factors for all RFIs recorded within the study period. The goal of this Task is to identify which, if any, factors were associated with that disproportionality. The proposed factors follow:

Table 2. Proposed Factors for RFIs

Factors	Variables
Jurisdictional	Rural or urban defined
	Racial composition
Court	Racial composition
	Court type
	Court volume/workload
Judge	Race
	Sex
	Number of prior grievances
RFI	Nature of grievance*
	Class of grievant**
	Nature of litigation***

Notes: *Nature of Grievance is the type of allegation made in the RFI (e.g., courtroom demeanor, intemperance, practicing law).

** Class of Grievant is the type of individual or organization who filed the RFI or identified the need for investigation (e.g., Litigant, Judge, Attorney, Michigan JTC, Michigan SCAO, Chief Justice)

***Nature of Litigation indicates the type of case in which the alleged misconduct occurred (e.g., General Civil, Landlord/Tenant, Probate, Criminal)

Task Two: Disproportionality of “Full Investigations” Due to Transcripts Included in RFIs

Phase II showed that Black respondents were more likely to proceed to “full investigation” if transcript-only evidence approvals were included in the analysis. When transcript-only evidence approvals were excluded, there was no statistically significant difference in the likelihood of Black and White respondents proceeding to “full investigation.” The goal of this Task is to identify any patterns in RFI filings without an attached transcript and factors associated with disproportionate progression to “full investigation” for Black judges in transcript-only cases, supported by descriptive statistics clarifying those drivers.

This Task will similarly include all RFIs recorded within the study period to accomplish two parts: First, an assessment of filing trends in RFIs will determine if, and which, factors play a role in racial differences in filings without a transcript attached, looking at the same jurisdictional, court, RFI, and judge-level factors detailed in **Task 1**. Second, this task will further examine those RFI filings that came to the Michigan JTC without a transcript. These filings will be separated into three groups based on the Michigan JTC approval of additional evidence: (1) Approval of only collecting a transcript for investigation, (2) Approval of the collection of evidence other than a transcript, including filings in which the Michigan JTC approved the collection of a transcript *and* other evidence, and (3) Filings in which there was no approval for the collection of any additional evidence. These three groups will be compared based on the RFI and judge-level factors listed below:

Table 3. Proposed Factors for RFIs

Factors	Variables
Judge	Race
	Sex
	Prior grievance history
	Tenure on bench
RFI	Type of judge
	Nature of grievance
	Class of grievant
	Nature of litigation
	Nature of disposition

Task Three: Differences in Severity of Outcomes by Allegation Severity

This Task will involve hand-coding original RFIs for all cases that proceeded to full investigation. Coding will capture the Brown Factors appearing in the allegation and alleged Judicial Canon violations as well as any mitigating and aggravating factors. Outcomes will then be compared by race. The goal of this Task is to examine what, if any, relationship exists between allegation severity, Michigan JTC findings, and the severity of outcomes for cases reaching full investigation. One analysis will compare the severity and factors included in the allegation to the outcome of the investigation. A separate analysis will include Michigan JTC findings (based on hand coding of staff

attorney investigative reports and communications with the Commission) as separate variables to assess their influence on outcomes. Note that severity coding is based on allegations, not Michigan JTC investigative findings. Attention will be paid to cases resulting in public outcomes and those that would likely have resulted in a public outcome had the judge not resigned, retired, or otherwise left the bench. Given the small sample size for these outcomes, statistical significance may not be achievable; in those instances, detailed descriptive statistics will be provided. The proposed factors for this task are:

Table 4. Proposed Factors

Factors	Variables
Judge	Race
	Sex
	Tenure on bench
	Type of judge
	Prior grievances files against respondent
RFI	Nature of grievance
	Class of grievant
	Nature of litigation
	Allegation type*
	Aggravating factors*
	Mitigating factors*
	Outcome type
	Canons alleged violated
Decision-Making	Brown factors appearing in allegation
	Canons found violated for dismissals, disaggregated by outcome type
	Brown factors found for dismissals, disaggregated by outcome type
	Michigan JTC Findings**
	Negotiated remedies (including Referral to Attorney Grievance Commission)

Notes: *Grey Italicized* denotes data that may be available to NCSC pending further investigation.

Asterisk (*) denotes NCSC-coded variables

** Michigan JTC findings refer to information found in staff attorney reports and communications with the Commission. This will encompass a series of variables including whether the respondent is described as lying vs. misstating or misremembering, the severity of the misconduct as determined by the Michigan JTC, and additional relevant variables identified during coding.

Task Four: Identifying Potential for Implicit Bias

Phase III will explicitly address the grievance investigation process within the Michigan JTC and assess the strength of the organizational policies and procedures. A lack of strong, clear organizational procedures and policies may create opportunities for discretion by individuals and lead to inequity in outcomes for otherwise similar situations. The report will examine the role implicit bias and structural racism may play in organizational processes such as Michigan JTC investigations. Analyzing data from RFI

filings, Michigan JTC policies and procedures, and information gathered in the prior Phases, this task will focus on how organizational practices may play a role in creating conditions that either exacerbate or limit the influence of implicit biases on decision-making within the Michigan JTC. In addition, this Task will identify aspects of the Michigan JTC policies and procedures that present opportunities for implicit bias to influence decision-making, and, if found, detail best practices for guarding against its effects.

Information on Project Approach

The findings from each of the four tasks will be presented in the final Phase III report, with the findings from Phase II reiterated in clear, accessible language and serving as a segue to the Phase III results. While the Phase II report was focused on stating the objective analytical findings at each decision point, the Phase III report will identify whether there are procedures and policies that may allow implicit bias to influence outcomes at each decision point. This approach will produce a report documenting grievance process outcomes at each decision point, with contextual and descriptive information included to provide a comprehensive assessment of the process. The report will highlight whether there are areas where Michigan JTC policies and procedures could be strengthened to guard against implicit bias and will situate these recommendations within the current evidence-based literature on implicit bias. If any of the findings of Phase III are inconclusive for any reason (including, but not limited to, insufficient sample sizes), those gaps will be identified and explained in the report.

Expertise and Background of Project Staff

Jennifer Elek and Andrea Miller authored a [2021 report on the evidence of implicit bias](#), reviewing existing research and specifically focused on the relevance of the concept for state courts. Dr. Elek has led the development of a number of development and education projects in the area of racial justice and equity, including as the research lead in the development of a training program on mitigating bias in the criminal justice system for use by the U.S. Department of State. Andrea Miller is an organizational psychologist studying the systemic processes underlying equity and inequity. Dr. Miller's work has been published in several outlets including *Journal of Social Issues* and *Group Processes and Intergroup Relations*. Dr. Miller and Nikole Hotchkiss authored a brief spotlighting [implicit bias education for juries](#) in 2024, a series of briefs highlighting policy reforms for racial justice in courts and a resource for courts on the implementation of record relief policies. NCSC developed a number of tools for courts including the Equity and Inclusion Assessment Tool, the Racial Justice Organizational Assessment Tool (co-developed with Elek, Miller, and P.J. Houston), and the Equity Process Analysis methodology.

Jennifer K. Elek, Ph.D., who will serve as the project director, is a Principal Court Research Associate at the National Center for State Courts, where her work has focused on racial justice, equity, and inclusion; evidence-based criminal justice policy and practice; decision-making and fairness in the courts; and education and professional development. Under her direction, NCSC operates as a strategic ally to the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge, a national initiative supporting efforts to safely reduce jail use and eliminate racial and ethnic disparities in local criminal justice systems. Dr. Elek is the research lead developing a training program on mitigating bias in the criminal justice system for use by the U.S. Department of State, International Narcotics and Law Enforcement Affairs in its training academies around the world. She

manages NCSC's Blueprint for Racial Justice initiative with funding from the State Justice Institute, serving as NCSC's lead staff to the initiative Steering Committee as well as one of the four Working Groups. Among her many other works, she also directed two other recent SJI-funded projects focused on equity issues: One which produced NCSC's 2021 publication, *The Evolving Science on Implicit Bias: An Updated Resource for the State Court Community*, the other which produced the 2023 publication, *The Racial Justice Organizational Assessment Tool for Courts*. She earned her Ph.D. in experimental psychology on social judgment and behavioral decision-making with a scholarly tool specialization in quantitative methods from Ohio University, M.A. from The College of William and Mary, and B.A. from Vassar College.

Andrea L. Miller, Ph.D., J.D., is a Senior Court Research Associate at the National Center for State Courts. She has over a decade of experience conducting mixed-method research and translating insights into action and reform in state court systems. She specializes in using data to move our public institutions toward equity, accessibility, and justice. Her research leverages social-cognitive and organizational science, histories of systemic injustices in society, and new technological innovations in the courts to redesign legal institutions and practices. [Recent and ongoing projects](#) focus on racial justice and cultural responsiveness, access to justice, community-based participatory research methods and person-centered design, and court AI Readiness.

In addition to her role at NCSC, Dr. Miller is a Clinical Assistant Professor of Psychology at the University of Illinois and a licensed attorney in Minnesota. She sits on the Illinois Supreme Court Committee on Equal Justice and the Broadening Representation, Inclusion, Diversity, and Global Equity (BRIDGE) Committee for the American Psychology-Law Society. She holds a Ph.D. in social psychology from the University of Minnesota and a J.D. from the University of Minnesota Law School.

Additional NCSC staff from Phases I and Phases II will provide continuity as project staff.

Source: The OAG created this exhibit using the NCSC Phase III Scope of Work obtained from JTC.



grievant	The individual who submitted a request for investigation of a judge.
JTC	Judicial Tenure Commission.
judge	According to Michigan Court Rule 9.201, “judge” means: <ul style="list-style-type: none">• A person who is serving as a judge or justice of any court of the judicial branch of state or local government by virtue of election, appointment, or assignment.• A magistrate or a referee of any such court.• A person who formerly held such office if a request for investigation was filed during the person’s term of office. If the person is no longer a judge and the alleged misconduct relates to the person’s actions as a judge, it is not necessary the request for investigation be filed during the former judge’s term of office; nothing in this paragraph deprives the Attorney Grievance Commission of its authority to proceed against a former judge.
NCSC	National Center for State Courts.
neutral	One or more judges or former judges appointed by the Supreme Court at the commission’s request to hold hearings on a complaint against a respondent.
public complaint	A written document issued at the direction of the commission, alleging specific charges of misconduct in office, mental or physical disability, or some other ground which warrants action under the Michigan Constitution (Article VI, Section 30).
request for investigation (RFI)	An allegation of judicial misconduct, physical or mental disability, or other circumstance which the commission may undertake to investigate under the Michigan Constitution (Article VI, Section 30) and Michigan Court Rule 9.220.
respondent	A judge against whom a request for investigation has been filed.

SCAO

Michigan State Court Administrative Office.

transcript-only case(s) A term discussed on pages 4-5 of the NCSC Phase II report, which represent grievances where the Commission approved only the gathering and review of the underlying transcript in the case, but no other gathering of evidence.