

Eligibility of a Removed Judge to Run for His Own Vacated Seat

Jefferson v. Louisiana Supreme Court
(*Robert G. James, W.D. La. 3:00-cv-2200*)

A judge removed by the state’s supreme court for judicial conduct filed a federal complaint challenging his exclusion from an election to fill his vacant seat. The district judge determined that the federal court lacked jurisdiction to review a state court’s judgment.

Subject: Getting on the ballot. *Topics:* Getting on the ballot; matters for state courts; primary election.

On September 27, 2000, a Louisiana judge for the City Court of Monroe, Parish of Ouachita—who was removed from office for judicial misconduct by the state’s supreme court—and four additional voters filed a federal complaint in the Western District of Louisiana challenging removal of the judge from the ballot for a primary election to fill his seat.¹ With their complaint, the plaintiffs filed a motion for a temporary restraining order and a preliminary injunction.²

Judge Robert G. James set the case for hearing on October 5.³ Following the hearing, Judge James determined that the *Rooker-Feldman* doctrine, which states that among federal courts only the Supreme Court has appellate jurisdiction over state-court proceedings, deprived the plaintiffs of relief.⁴ Moreover, “This Court agrees with the conclusion of the Louisiana Supreme Court that a judge removed from office because of misconduct cannot then run in a special election to fill the remainder of his term.”⁵

In 2006, Louisiana’s supreme court restored the judge’s eligibility for judicial office.⁶ He was again elected to the bench in 2007.⁷

1. Complaint, *Jefferson v. La. Supreme Ct.*, No. 3:00-cv-2200 (W.D. La. Sept. 27, 2000), D.E. 1; see Supplemental Complaint, *id.* (Sept. 29, 2000), D.E. 4; see also *In re Jefferson*, 753 So. 2d 181 (La. 2000).

2. Motion, *Jefferson*, No. 3:00-cv-2200 (W.D. La. Sept. 27, 2000), D.E. 2.

3. Supplemental Order, *id.* (Oct. 2, 2000), D.E. 9 (denying an ex parte temporary restraining order); Order, *id.* (Oct. 2, 2000), D.E. 8 (same); see Minutes, *id.* (Oct. 5, 2000), D.E. 11.

4. Opinion at 7–8, *id.* (Oct. 5, 2000, filed Oct. 6, 2000), D.E. 6; see D.C. Ct. of Appeals v. Feldman, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); Martin A. Schwartz, Section 1983 Litigation 21–24 (Federal Judicial Center 3d ed. 2014); see also *Ousted Judge Fails in Try to Stop Election*, Baton Rouge Advocate, Oct. 7, 2000, at 8-B.

5. Opinion, *supra* note 4, at 8–9.

6. *In re Jefferson*, 927 So. 2d 1103 (La. 2006); see Robbie Evans, *Jefferson Eligible for Judicial Office*, Monroe News-Star, Apr. 19, 2006, at 1A.

7. See Elizabeth Fitch, *Jefferson to Don Robes of City Court*, Monroe News-Star, Nov. 18, 2007, at 13a.