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

---

5. Opinion, supra note 4, at 8–9.
7. See Elizabeth Fitch, Jefferson to Don Robes of City Court, Monroe News-Star, Nov. 18, 2007, at 13a.