

**PROCEDURES FOR THE PROCESSING OF
EEO/EDR PETITIONS FOR REVIEW
BY THE FIFTH CIRCUIT JUDICIAL COUNCIL**

- A. A person aggrieved by the disposition of a chief judge or designee, on an EEO/EDR complaint filed in any court of the Fifth Circuit, may petition the Judicial Council for review thereof.
- B. The petition for review must be filed in writing with the circuit executive within 30 days of receipt of the challenged ruling. Upon receipt of notice of the filing of a petition for review, the EDR coordinator for the involved court shall promptly transmit to the circuit executive the complete record of the complaint.
- C. After the record is received by the circuit executive, the chief judge of the circuit shall appoint a panel composed of three members of the Judicial Council to review the complaint and its disposition. The panel shall be empowered to act for and on behalf of the Judicial Council.
- D. The panel shall consider the record of the complaint and such other data or evidence as it deems appropriate, and shall rule thereon within 30 days, if possible. Panel action shall be by majority vote and the panel shall be guided by the substantial evidence standard of review.
- E. Decisions by the panel shall be in writing and shall be final and conclusive and not subject to further review by the Judicial Council, judicial appeals, or otherwise.
- F. Dispositions by the chief judge or designee and rulings by review panels shall be deemed confidential and made public only upon concurrence of the complainant, respondent, and subject chief judge and, if reviewed, by the review panel. Sanitized memoranda explaining the essence of the complaint, disposition, and review shall be made public by placing same in a file maintained by the EDR coordinator of the involved court. Sanitized versions of rulings by review panels shall be made public by placing same in a file maintained by the Circuit Executive, United States Court of Appeals for the Fifth Circuit, 600 Camp Street, New Orleans, Louisiana 70130. When any memorandum is deemed of precedential value, the chief judge of the affected court or chief judge of the circuit may cause a sanitized version thereof to be published.