

MICHIGAN SUPREME COURT

In re Sanders

498 Mich. 856 (Mich. 2015) · Decided July 1, 2015

SUMMARY

The Michigan Supreme Court accepted portions of the Judicial Tenure Commission’s decision and recommendation concerning 36th District Court Judge Brenda K. Sanders. The Court determined that Sanders had a mental disability preventing the performance of her judicial duties and committed additional misconduct involving misrepresentations and failure to cooperate with the Commission. The Court ordered her removal from office and declined to award costs.

CASE DETAILS

COURT	Michigan Supreme Court
JURISDICTION	Michigan
DECIDED	July 1, 2015
DISPOSITION	other
PROCEDURAL POSTURE	The Judicial Tenure Commission issued a decision and recommendation concerning disciplinary charges against a district court judge. The respondent withdrew her petition to reject or modify the recommendation, and the Michigan Supreme Court conducted de novo review and acted on the Commission's findings and recommended sanction.
STANDARD OF REVIEW	De novo review of the Judicial Tenure Commission's findings and recommended sanction.
PRECEDENTIAL VALUE	Published Michigan Supreme Court opinion; precedential value not otherwise specified in the source.

TOPICS

- constitutional law
- remedies

PRACTICE AREAS

- judicial discipline
- constitutional law
- professional responsibility

QUESTIONS PRESENTED

1. Whether the evidence established that Respondent suffered from a mental disability preventing the performance of her judicial duties.
2. Whether Respondent's failure to cooperate with the Judicial Tenure Commission and her intentional misrepresentations constituted judicial misconduct warranting removal from office.
3. Whether an award of costs under MCR 9.205(B) was appropriate under the circumstances.

HOLDINGS

1. The Court accepted the Judicial Tenure Commission's determination that Respondent suffered from a mental disability that prevented her from performing her judicial duties.
2. The Court adopted the Commission's findings that Respondent failed to cooperate with the Commission's investigation and made intentional misrepresentations to the Commission, her employer, and courts, constituting misconduct and conduct prejudicial to the administration of justice and warranting removal from office.
3. An award of costs under MCR 9.205(B) was not appropriate under the unique circumstances of the case.

KEY QUOTATIONS

"A board certified psychiatrist concluded that, due to her delusions, Respondent could not interpret reality correctly and could not make rational decisions." (856)

"The Commission concludes that the Examiner has established by a preponderance of the evidence that Respondent suffers from a mental disability that prevents the performance of her judicial duties, as set forth in Count I of the Amended Formal Complaint." (856-857)

"As we conduct our de novo review of this matter, in particular the recommended sanction pertaining to the findings of misconduct, we are mindful of the standards set forth in In re Brown, 461 Mich 1291, 1292-1293 (2000)." (857)

FACTUAL BACKGROUND

Brenda K. Sanders was a judge of the 36th District Court. She made allegations involving conspiracies, threats, hacking, and medical interference, and a board-certified psychiatrist concluded that delusions impaired her ability to interpret reality and make rational decisions. She also failed to cooperate with an ordered independent psychiatric examination and made intentional misrepresentations to her employer, the Judicial Tenure Commission, and courts regarding her medical condition, examinations, and litigation matters.

PROCEDURAL HISTORY

The Judicial Tenure Commission found that Respondent Brenda K. Sanders suffered from a mental disability preventing performance of her judicial duties and committed misconduct charged in Counts III and IV. Sanders withdrew her petition challenging or seeking modification of the Commission's decision and recommendation. The Michigan Supreme Court accepted the Commission's determinations in part, adopted its findings and conclusions, removed Sanders from office, and declined to award costs.

DISPOSITION

other

CASES CITED

- In re Brown, 461 Mich. 1291, 1292-1293 (2000)

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