

Magic Judge Code

Current as of February 19, 2019

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Introduction

The values which form the foundation of the Magic Judge Code (“the Code”) are service, integrity, community, respect, and trustworthiness. Examples of these include treating others helpfully and with respect, following the rules of tournaments, and creating an inclusive environment where we can all share and enjoy the game of Magic together.

These values can overlap or even compete with each other for priority. More than one value can justify a given element of the Code. These values may at times need to be balanced against each other, yet they remain guideposts for the Judge Program.

A judge is someone who upholds these values and sacrifices some of their time to help run tournaments, deliver rulings, and address community concerns and issues. From the judge who answers their local store’s rules questions to the Head Judge on the Pro Tour, we all share the goals of making Magic fun and Magic tournaments fair.

Judges hold special positions of trust and authority within the community – we enforce the rules, award penalties, and even disqualify players. Appropriately, the community expects judges to act in ways which demonstrate worthiness of that position and authority. For this reason, judges discovered to be registered sex offenders will not be allowed to remain in the Judge Program. However, we also understand the need to give everyone a fair chance to present their case when significant and exceptional circumstances resulted in a registration.

All cases need to be presented to the Judge Conduct Committee (“JCC”) and the responsible Regional Coordinator. In case of a ruling of "No Action" by the JCC, the judge in question will not be absolved of their responsibility to comply with any applicable local laws and Wizards of the Coast requirements towards Tournament Organizers and WPN events.

This document helps judges understand their responsibilities. It’s here to help define what is acceptable and what isn’t. The behavior of judges in and toward the Magic community affects our ability to act as trusted experts at events, but there are limits to the Judge Program’s interest. It is outside the Judge Program’s interest to manage or limit the personal private lives of judges, especially those interactions which do not involve the Magic community.

Membership of the Judge Program is voluntary or “at will” from both sides – a judge can withdraw from the Judge Program at any time, and the Judge Program can choose to suspend a judge, change a judge’s certification level, or even decertify a judge altogether based on their conduct.

The Judge Program will investigate and address alleged misconduct on the part of any member. The ways in which the Judge Program addresses misconduct are intended to uphold its values, ensure safe and welcoming Magic experiences, and to preserve the standing of the Judge Program in the eyes of the community.

Principles of Judge Conduct

Judges are granted additional powers to help them carry out their responsibilities to the Magic community. The community empowers judges with the expectation that judges use their status and authority fairly and with accountability.

A judge should use their judge status or authority fairly.

Judges should use their status and authority impartially and within the guidelines of the appropriate tournament documents. A judge should treat all members of the Magic community with fairness and respect regardless of their actual or perceived race, sex, gender, gender expression/identity, color, religion, national origin, or sexual orientation. A community member’s reputation, fame, skill, or any other similar factor should not affect how a judge treats that person. A judge may examine the actions of a person with a history of suspicious behavior more closely, but should not make a biased decision about whether someone is cheating or not based on that reputation alone.

A judge should not use their judge status or authority for undue personal gain or malicious intent.

Judges should serve the Magic community. At a Regular REL event, a judge should not unreasonably rule in their own favor if a disagreement comes up in their match. A judge should not penalize a player because of a personal disagreement, nor avoid penalizing a player due to a personal relationship. Judges should not use their status to gain trust in order to commit fraud, nor use their access to players' decks or tournament organizers' product to commit theft or other dishonest acts. Judges should never inappropriately take advantage of the trust placed in them and should respect the

boundaries and privacy of those around them. Judges should not divulge private information they might have access to or been given to unauthorized sources without the express permission of its owner.

A judge should create a welcoming environment.

Judges have the same responsibilities as all members of the Magic community to avoid actions which could reasonably be expected to cause someone else to feel harassed, threatened, bullied, or stalked. They have additional responsibility to act positively to create environments where these behaviors are not accepted and all members of the Magic community can feel welcome. Judges should not allow others to create a bad environment by inaction. Judges should not express views that would make other members of the Magic community feel unsafe or unwilling to attend an event where that judge was on staff.

A judge should take responsibility for their conduct and for the use of their judge status and authority.

Judges should not attempt to prevent other members of the Magic community from reporting their behavior. Retaliation of any kind for reporting suspected misconduct is not tolerated. Judges should never attempt to disguise or hide the reporting process from any person who wishes to use it. Judges should admit and accept their mistakes, and be honest and direct in their communication.

Anything which would be considered player misconduct is always considered judge misconduct.

Misconduct which is Unsporting Conduct — Major or Cheating under the Magic Infraction Procedure Guide, or is considered a Serious Problem in a Regular REL context is also considered judge misconduct. Issues which lead to a suspension from Wizards of the Coast or the Player Investigations Committee will at least carry a suspension of equal length by the Judge Program.

Considerations Taken in Dealing with Alleged Misconduct

Judges have a responsibility to reflect the best of the Magic community and the values of the Judge Program. A higher judge certification level corresponds to increased trust and status within the community. Therefore, a judge's certification level or program role is relevant to misconduct investigations. When considering misconduct, two things are given high importance: the amount of connection between the alleged misconduct and Magic, and the intention behind the behavior and/or the action taken.

Connection to Magic

Connection to Magic is the way in which we determine how closely alleged misconduct can be attached to a person's status as a Judge. For instance, the public behavior of Regional Coordinators, Program Coordinators, and Grand Prix Head Judges is perceived by the community to be connected to Magic and the Judge Program to a degree that is characteristically different from other judges in the program. Accordingly, judges in advanced roles should consider their public conduct to be at least partially connected at all times.

For the purpose of considering misconduct, behavior is divided into three categories of connection to Magic:

- Behavior which is directly connected to Magic and judging
- Behavior which is partially connected to Magic and judging
- Behavior which is not connected

Each category is defined and explained below.

Directly Connected

This includes conduct by a judge who is acting or clearly representing themselves as a certified judge.

Examples of this include:

- Working at an event as a judge, including on breaks
- Doing anything while wearing judge attire

- Doing anything while representing themselves as a judge. This includes using a photo of themselves in a judge shirt as their icon on social media or bringing up their judge status in order to gain trust
- Contributing to an official judge discussion website, such as Judge Apps or the official Magic Judges Facebook page
- Contributing to a designated digital judge space such as a Facebook, Discord, Slack Channel, or IRC

Misconduct while in uniform and/or working at an event as a judge is always in the scope of the Code because a judge in uniform directly represents the Judge Program and the Magic community. Posts on official judge-related sites are also held to this standard. Likewise, if a judge uses their judge status to engender trust, those activities are held to this standard. The judge uniform and logo make an impression which connects the behavior of a judge using them to the Judge Program. Misconduct when acting in this role may carry more severe sanctions than if it occurs in partially connected or unconnected circumstances.

Partially Connected

This includes conduct by a judge who is at a Magic event in a non-judge role, a judge who is addressing an audience which is primarily focused on Magic, a judge who is or speaking as a person who is strongly associated with Magic and/or judging.

Examples of this include:

- Playing or otherwise attending a Magic event in a non-judge capacity
- Playing, trading, or interacting with others on Magic Online
- Posting on an unofficial Magic site or Magic-related social media
- Attending a social event organized alongside a Magic event

When there is a connection to Magic, misconduct has the potential to reflect poorly on the Judge Program and its members. A judge's behavior may affect the standing and level of trust the Judge Program has in that judge. Misconduct in this area does not always reflect on the rest of the Judge Program and Magic, but it can harm the community's view of a judge and the level of trust the community puts in that judge.

Not Connected

If the only connection to Magic and/or judging in a case of alleged misconduct is the fact that the person involved is a certified Magic judge, then that alleged misconduct is not for the Judge Program to consider. However, cases of very serious alleged misconduct may represent significant and exceptional circumstances which warrant the Judge Program's consideration.

Intent

The JCC utilizes its members' wide experience and cultural backgrounds to interpret judges' actions from all the statements and evidence collected throughout the investigation to determine a measure of intent. The "why" of our actions matters as much as the "what" of our actions. Examples are not provided for these categorizations.

Determination of intent is based primarily on two elements:

- Knowledge by the judge that the judge's actions breached the Code
- Whether the judge's actions are part of a pattern of behavior

The JCC uses three categories of intent and knowledge to standardize resolutions:

- If the JCC believes the judge was not aware their behavior was a breach of the Code, then the appropriate category is **Ignorant**.
- If the JCC believes the judge knew or reasonably should have known, but has no existing pattern of behavior and took no conscious actions to avoid getting caught, then the appropriate category is **Opportunistic**.
- If the JCC believes the judge knew and has an existing pattern of behavior, planned their behavior, or took conscious actions to avoid getting caught, then the appropriate category is **Premeditated**.

Ignorant

Barring exceptional specific circumstances, ignorant behavior will not be harshly punished. The JCC does not want to penalize a judge who was completely ignorant that what they did was against the Code of Conduct.

Opportunistic

The JCC recognizes judges may have instinctive reactions which lead them into actions which breach the Code of Conduct. If a judge had a lapse in judgment, then the JCC can excuse the behavior up to a certain point, which depends on the offense committed.

Premeditated

Contrary to the first two categories, the JCC will not be lenient in any way with cases involving premeditated behavior.

Judges held responsible for premeditated misconduct will be penalized much more harshly than in other circumstances. Especially in this category, specific circumstances are considered to ensure the most accurate resolution possible. It is never acceptable to purposefully set out to harm another judge or member of the Magic community, and such actions will be dealt with severely.

Identifying Misconduct

The Judge Conduct Committee exists to decide when a judge's conduct is a problem and how that misconduct should be resolved from the Judge Program's perspective. It is comprised of Level 3 judges, selected by the Program Coordinators and Regional Coordinators in a periodic application and selection process.

JCC members gather information about the case, including a statement from the judge in question. The judge in question may also identify another judge who may agree to act as their Communication Facilitator (CF) with the JCC. The CF's purpose is to help ease communication and potential feelings of intimidation with the JCC and ensure the judge in question does not feel alone or isolated as their case proceeds. The CF is not a character witness. Communication with a judge accused of misconduct and with judges who may have information sought by the JCC will use the e-mail address provided by the judge via Judge Apps unless they specify otherwise. Members of the JCC may not serve as Communications Facilitators.

After the needed information is gathered and considered, the JCC members then make a recommendation on how they believe the case should be resolved. In these recommendations, the JCC members consider whether the judge accused is responsible for the alleged misconduct, the specific circumstances of the case, including the degree of connection to Magic, and other factors in its deliberations. The Regional Coordinators and Program Coordinators are advised of these decisions before they take effect.

The JCC is responsible for ensuring anyone reporting a concern and any judge who is the subject of a concern are kept informed of what the next step in the investigation is and when it is expected to be completed.

The JCC uses a document which details its process and recommended resolutions for a range of possible misconduct circumstances. However, in order to prevent any person from attempting to manipulate the system, this document is kept private.

A list of suspended and decertified judges is available only to the JCC, Regional Coordinators, and Program Coordinators. Any of these judges may communicate with affected individuals regarding the status of suspended judges on an as-needed basis.

Reporting Suspected Misconduct

Suspected misconduct should be reported to the Regional Coordinator of the judge in question or reported through the Magic Judge feedback form, which can accommodate completely anonymous reports.

Contact a Regional Coordinator here:

<http://blogs.magicjudges.org/contact/contact-a-regional-coordinator/>

Access the feedback form here: <http://feedback.magicjudges.org>

Suspected misconduct can also be reported to any judge in an advanced role or member of the JCC, who will then bring the issue to the JCC.

Suspected misconduct which occurs at an event should be reported to the tournament organizer in addition to any available channel of reporting to the JCC.

To be clear, the Judge Program and the processes described here are not substitutes for law enforcement. Serious misconduct involving alleged or potentially criminal acts should be reported to the appropriate authorities.

Types of Misconduct

Misconduct is sorted into the types listed here to help judges understand the expectations of the Judge Program and what sorts of behavior are addressed by the JCC. These descriptions also help the JCCensure similar incidents have consistent and fair resolutions. Mistaken rulings or other honestly intended errors on the part of any judge are not considered misconduct.

Warning: This is not an exhaustive list

Violating Event Integrity

A judge commits an act of malice or dishonesty which impairs the integrity of an event. This occurs when a judge takes advantage of a conflict of interest related to the position and authority of their judge status. This also happens when a judge is registered as the official for a tournament without being present.

The penalties associated with this misconduct protect the integrity of sanctioned events.

Examples:

- A judge intentionally changes the pairings in a round of an event to ensure their friends do not play against one another until the final round.
- A judge gives a player improper access to the decklist of their opponent because the player is a friend.
- A judge, knowing they will not be physically present at a tournament site, asks the organizer to register them as a judge in order to meet activity requirements to maintain certification.

Misrepresenting Judge Status

This may occur when someone represents themselves as a certified Magic judge in order to gain a benefit or to avoid a possible penalty. Someone who lies about being a certified judge may lack the appropriate qualities of honesty and trustworthiness to be a judge.

Examples:

- A player erroneously believes they are a judge through misunderstanding the result of an administered exam
- A judge claims to be a judge of a higher certification level than they actually are in an attempt to impress or gain the favor of a tournament organizer
- A player claims to be a judge in order to satisfy the sanctioning or reporting requirements of an event, or to gain employment or trust in the community

Significant Diplomacy Failure

Judges are expected to demonstrate appropriate diplomacy with players, spectators, other judges, and organizers.

A significant diplomacy failure happens when a judge fails to demonstrate appropriate diplomacy with a player, spectator, judge, or organizer in a specific and significant way. The outcome of the failure will often be a visible, disruptive escalation of a conflict or an end of a working relationship, with some impact to the image of the Judge Program.

A significant diplomacy failure can also occur when a judge acts in a way which they should reasonably expect will cause emotional distress, mental anguish, or other non-physical harm to another person. This also includes violations of privacy. Repetitive or persistent behavior of this nature is considered harassment. Threats of physical violence are considered assault.

This includes any form of retaliation against anyone who has reported or is believed to have reported misconduct. Members of the community should be able to report misconduct without fear of retaliation.

This does not include general abrasiveness, unfriendliness, or other generally antisocial behavior, especially within social media.

If the Committee believes the judge knew this behavior was inappropriate and has an existing pattern of behavior, planned their behavior, or took conscious actions to avoid getting caught, then the appropriate category is **Premeditated**.

Examples:

- A judge is involved in a shouting match with a colleague on the floor of an event.
- In a conversation with a tournament organizer, a judge uses a racial slur in an attempt to be funny.
- A judge seeks out a specific player at an event and insults that player's gender expression.

Harassment

Harassment is the act of systematic and/or continued unwanted and antagonizing actions of one person or a group, including but not limited to threats, demands, intimidation, and coercion.

Harassment, sexual or otherwise, is not acceptable behavior by any judge. Any claim of harassment will be handled with care and respect toward the victim.

Examples:

- A judge asks another judge out on a date when having drinks after the event, is denied, and does not immediately drop the issue.
- A judge becomes romantically interested in a judge candidate they are mentoring, is denied, and uses mentoring the candidate as a pretext for continuing to stalk the candidate.

Abuse of Trust / Abuse of Program Role

Judges can be entrusted with access to private, sensitive information about the program, other judges, or players. They are also sometimes trusted with program owned materials. Violating that trust impacts the image of the entire judge community and should be discouraged.

This includes situations where judges intentionally obtain information they are not entitled to in order to gain a personal advantage.

Examples:

- A judge offers to nominate someone for Exemplar for a fee.
- A judge who is responsible for a conference misrepresents the number of attendees in order to keep the excess foils for themselves.
- A judge intentionally destroys shared documents related to a project because they had a disagreement with another project member.
- A judge intentionally provides an answer key to a certification exam being taken.
- A judge inappropriately seeks out answers for an exam they are taking or about to take.

Assault

A judge causes or threatens to cause bodily harm to another person. This is completely unacceptable and shall be severely punished. If the behavior in question was only intended to prevent bodily harm to the judge or another person, that will be a factor in the JCC's considerations.

Examples:

- A judge attempts to end a fistfight by becoming involved as a combatant.
- A judge punches a player after being provoked by an insult.
- A judge arranges a meeting with the intention of sexually assaulting the person they have arranged to meet.

Wagering and Bribery

A judge bets on anything related to a tournament, solicits a bribe, accepts a bribe, or ignores a bribe rather than enforcing the appropriate rules.

Wagering on Magic is unacceptable. Accepting, soliciting, or ignoring a bribe impairs the integrity of the Judge Program.

Examples:

- A judge solicits a bribe from a player in order to ignore an offense which would otherwise result in the player being disqualified.
- A judge places a bet on their friend to make 'top 8' of a tournament.

Theft

A judge steals materials which are owned by a player, another judge, a store, or an organizer. Thieves can't be tolerated in any way within the Judge Program.

Examples:

- A judge pockets one of the spare boosters from a draft.
- A judge takes product from the store they judge at without receiving permission from the store manager.

Resolving Misconduct

Possible resolutions are listed below in order of severity from low to high. There may be additional communication, remedies, or conditions associated with a resolution, depending on each case's specific circumstances. Resolutions are based on guidelines defined in a rubric that takes into account the type of misconduct, the connection to Magic, and the intent determined.

No Action

If a case has been brought to the attention of the JCC, and the JCC has found it unnecessary to penalize, then a letter will be sent to the judge to inform them that a resolution has been made and no action will follow.

Warning Letter

The purpose of a warning letter is to identify problematic behavior to the warned judge. It also encourages a change in the judge's behavior as a condition of continued inclusion in the Judge Program.

Suspension

Suspensions are the most complex resolution. A suspension enforces a period of separation from the Judge Program as an opportunity to reflect and change behavior. It identifies problematic behavior to the suspended judge and encourages a change in that behavior as a condition of re-joining the Judge Program. A suspension is also an affirmation of the seriousness with which the Judge Program approaches problematic behavior.

Suspended judges are expected to avoid acting as judges or representing themselves as judges. They may not participate in any DCI or WPN sanctioned event as judges. They may not participate in judge conferences.

Suspended judges' JudgeApps accounts remain active. However, a suspended judge should not participate in discussions on forums limited to certified judges beyond reading them. Suspended judges are not expected to remove themselves from non-JudgeApps groups or forums limited to certified judges. However, the individuals controlling those groups may decide to remove a suspended judge at their discretion.

Access to JudgeApps features is not affected by a suspension. A suspended judge can still submit reviews, take practice exams, and otherwise use tools within JudgeApps. A

suspended judge is encouraged to complete any reviews in progress when the suspension began. A suspended judge should hand off any candidates for certification or advancement to another judge to ensure continuity of mentoring and avoid unnecessary delays.

A suspended judge should not actively participate in ongoing judge projects, especially not in a leadership role. However, a specific project's leader may decide to retain a suspended judge as a participant in their project to ensure the project's continuity when the suspension ends. The decision to allow a suspended judge to resume participating in or leading a project is up to the specific project leader. In the rare event that a project leader is suspended, leadership should be immediately handed off to that project's backup leader.

A suspended judge may not participate in the Exemplar Program by submitting recognitions. Recognitions submitted by a suspended judge while suspended will not be published and will not have mailings associated with them. Recognitions of a suspended judge or submitted while that judge is suspended and recognitions submitted prior to the suspension may proceed with mailings at the discretion of the Exemplar Project.

Organizers for events who have selected a suspended judge through JudgeApps will be notified of the suspension. Those organizers make their own decisions regarding the people they include in their event staff. However, a suspended judge who acts as a judge at an event will be assumed to be ignoring their suspension.

Demotion

Demotion can apply when the actions of the judge were unbecoming of their level, or where the prestige, authority, or responsibilities associated with a judge's level were an important factor in the misconduct. This penalty is primarily used to deny a judge certain privileges which were associated with their level of certification.

A demotion can be enforced in conjunction with a suspension. For Level 1 judges, there is no difference between demotion and decertification.

Decertification

Decertification is used in cases where the JCC believes the judge should no longer be part of the Judge Program. This is the most severe penalty available to the JCC and is not taken lightly.

As an additional remedy, the JCC may exclude the judge from successfully completing the certification process in the future.

Resolutions and Advanced Roles

Advanced Roles are special positions in the program that are held to a higher standard. A judge who has been suspended will not be permitted to apply for Advanced Roles for a period of two years following the end of their suspension. A judge in any Advanced Roles who gets suspended, demoted, or decertified will lose those Advanced Roles.

Advanced Roles for this purpose are:

- GP Head Judges and the GPHJ Lead
- Regional Coordinators and the RC Lead
- JCC Members and the JCC Lead
- Program Coordinators

Appeals

If a judge wishes, they may appeal a decision made by the JCC to the Program Coordinators within 7 days of being informed of the outcome of their case. The judge must provide either additional information not previously included in the investigation or an explanation as to why the previously provided information was interpreted incorrectly.

Program Coordinators are not under obligation to accept an individual's appeal requests, and the default conclusion is that the JCC decision will stand. As part of this appeals process, it will also be possible for suspensions to become longer as a result of the additional investigation. During an appeal, Program Coordinators will have access to the relevant case files, including all statements submitted as well as all discussion by the JCC.

Appendix A - Revision History

Change February 2019

- Corrected formatting and grammatical errors
- Clarity fixes (consistent references to “JCC”)
- Moved description of the usage of intent to determine a resolution from “Intent” section to “Resolving Misconduct” section
- Removed references to Regional Coordinator Advisory Committee (RCAC)
- Added: JCC members may not serve as Communications Facilitators.
- Added language to “Abuse of Trust / Abuse of Program Role” regarding intentionally obtaining secret information, such as judge test answers, for personal advantage.
- Updated “Appeals” section with new appeals process
- Updated name of “Impersonating a Judge” to “Misrepresenting Judge Status”
- Updated documentation regarding Advanced Roles

Change October 2018

- Corrected grammatical and spelling errors
- Removed references to outdated judge information pages and tools (example: Judge Center, and Rules Advisor Exam)
- Added “Considerations Taken in Dealing with Alleged Misconduct” section
- Added “Appeals” section
- Advocate role changed to better reflect intention of the role, Communications Facilitator (references to Advocate remain in the revisions section)
- Organization of paragraphs in document moved around to create better flow
- Added policy if suspended a judge cannot apply for Advanced Roles for 2 years.
- Added that PCs, at their sole discretion, can take up a submitted appeal.

Change February 2018

- Typo and clarity fixes.
- Added that registered sex offenders are allowed to appeal a resolution as does any other judge.

Change January 2018

- Added “Abuse of Trust / Abuse of Program Role”.
- Changed the philosophy of “A judge should not use their judge status or authority for undue personal gain or malicious intent.”.
- Added: Explicitly stating that registered sex offenders are not allowed to be members of the Judge Program.

Changes April-May 2016

- References to Level 4 and 5 removed, other edits related to NNWO.

Changes December 24, 2015

- Added reference to WotC potentially taking lead on serious and exceptional cases.
- Added specific reference to WotC in addition to PIC potentially suspending a player who is also a judge.

- Specified preferred method of communication with judge and advocate is JudgeApps e-mail addresses.
- Added language to Significant Diplomacy Failure to stress that we're really not monitoring Facebook, and the issue should be specific rather than generally being unfriendly and antisocial.
- Added clarification on suspension, with specific references to conferences and Exemplar.
- Added RCs to list of folks who have input in the Committee composition.
- Added detail to advocate role, in addition to removing L3 requirement. L3s remain "recommended" but in practice, L2s have been fine as advocates where the judge in question feels more comfortable with them.
- Minor typo fixes. Structure and page numbering fix, split former "Appendix A" into relevant sections, no longer an appendix.

Changes January 1, 2015:

- Typo and clarity fixes.
- Document structure, table of contents, font, page numbers, division into sections and appendices.
- Added reporting section to administrative guidelines.
- Explicit inclusion of statement from judge in question, option of requesting an advocate, and communication expectations.
- Reordered types of misconduct for better continuity in severity.
- Renamed, broadened, and clarified "DCI Number Fraud or Improper Registration" to "Violating Event Integrity".
- Clarified the second example under "Wagering and Bribery".

Changes December 1, 2014

- Initial Version.