



NEWS RELEASE

Release Number: 47

Date: August 28, 2007

JUDICIAL COUNCIL OF
CALIFORNIA
ADMINISTRATIVE OFFICE
OF THE COURTS
Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

Supreme Court Announces Creation of Committee on Judicial Ethics Opinions

San Francisco—The California Supreme Court today announced that, in accordance with the practice in the vast majority of other state court systems, it has adopted a policy under which it will appoint an official committee to provide advisory opinions on ethics to judges. The new panel will be called the Supreme Court Committee on Judicial Ethics Opinions.

The Supreme Court is responsible for adopting the Code of Judicial Ethics, which guides the conduct of judges on and off the bench (Cal. Const., Art. VI, § 18, subd. (m).) The Commission on Judicial Performance (Commission) is the constitutionally created state agency responsible for investigating complaints of judicial misconduct and for disciplining judges (Art. VI, § 8, 18).

Neither the Commission nor the court presently provides advisory opinions to assist judges in ensuring that their conduct on and off the bench is consistent with the ethical limitations that apply to judicial officers.

The California Judges Association (CJA), a voluntary professional association for the state's judges, has, for many years, provided valuable service to California's judges by offering formal and informal ethics opinions in response to requests for guidance by individual judges. In recommending that the Supreme Court appoint a formal committee, the Commission on Judicial Performance acknowledged the very helpful contribution of the California Judges Association.

Chief Justice George and the leadership of CJA have subsequently met on two occasions thus far to discuss ways in which CJA may

(over)

continue to contribute to providing guidance to judges in the state, and talks on these issues will continue.

In support of the court's creation of an official committee to provide ethics opinions, the Commission observed that:

“The need for an official ethics advisory committee is greater now than at perhaps any other time in California's history. The public is increasingly conscious of ethics issues involving public officials and professionals, and judges are increasingly sensitive to the canons and their ethical obligations. However, judicial ethics are not static. Judges face growing pressures from interest groups participating in the judicial election process while at the same time judicial canons on political activity are being challenged throughout the country. Judges have been encouraged by the Chief Justice and others to become more involved in their communities, yet the ethical boundaries of such involvement are not always clear. The judicial disciplinary process does not produce helpful case law concerning many ethical issues because most judicial disciplinary case dispositions are private and relate to on-bench conduct. Furthermore, the issues addressed in public judicial disciplinary cases are often extraordinary. Advisory opinions can fill the gap between the canons and disciplinary decisions, particularly about judges' off-bench conduct.”

Chief Justice George and his colleagues on the Supreme Court have been active proponents of ensuring an impartial and effective judiciary, accessible to all Californians. The courts rely upon the confidence of the public they serve, and this step is intended to provide greater assurance to the people of California that the highly regarded bench in our state continues to act in conformance with the highest standards of conduct.

Initially, the court will appoint an advisory committee comprised of individuals knowledgeable about judicial ethics, including individuals who may have served on the California Judges Association's ethics committee or the Supreme Court's Advisory Committee on the Code of Judicial Ethics, as well as members and staff from the Commission on Judicial Performance, and court staff, to draft recommended procedures and rules for the ethics committee for the Supreme Court's consideration, including rules concerning the terms of committee members' appointments, procedures for receiving inquiries, confidentiality for those individuals making inquiries, and judicial and public access to the committee's opinions.

Once procedures and rules have been developed and adopted by the Supreme Court, the court will select the committee members. It also is anticipated that two

attorneys will be employed by the committee to assist it in its work, with more staff to be added if needed.

The committee, once appointed by the Supreme Court, will rely upon the Code of Judicial Ethics, the decisions of the court and of the Commission, as well as other relevant sources, in its determinations. In all other respects, it will act independently of the court and the Commission in reaching its decisions.

Attached is a chart describing judicial ethics systems in the other states in the nation, including any mechanism for providing judicial ethics opinions, if available.

#

ANALYSIS

OF THE

JUDICIAL ETHICS SYSTEMS

IN THE 50 STATES AND THE DISTRICT

OF COLUMBIA

Table of Contents

California.....	1
Arizona.....	2
Alabama.....	3
Alaska.....	4
Arkansas.....	5
Colorado.....	6
Connecticut.....	7
Delaware.....	8
District of Columbia.....	9
Florida.....	10
Georgia.....	11
Hawaii.....	12
Idaho.....	13
Illinois.....	14
Indiana.....	15
Iowa.....	16
Kansas.....	17
Kentucky.....	18
Louisiana.....	19
Maine.....	20
Maryland.....	21
Massachusetts.....	22
Michigan.....	23
Minnesota.....	24
Mississippi.....	25
Missouri.....	26
Montana.....	27
Nebraska.....	28
Nevada.....	29-30
New Hampshire.....	31
New Jersey.....	32
New Mexico.....	33
New York.....	34
North Carolina.....	35
North Dakota.....	36
Ohio.....	37
Oklahoma.....	38
Oregon.....	39
Pennsylvania.....	40
Rhode Island.....	41-42
South Carolina.....	43
South Dakota.....	44
Tennessee.....	45
Texas.....	46
Utah.....	47
Vermont.....	48

Virginia.....	49
Washington.....	50
West Virginia.....	51
Wisconsin.....	52
Wyoming.....	53

CALIFORNIA

<http://cjp.ca.gov>

<p>Commission on Judicial Performance</p> <ul style="list-style-type: none">• Deals with censure, removal, retirement, or private reprimand• After investigation, can conduct formal proceedings• Meets about 7 times a year• Members are appointed for staggered 4-year terms; maximum of 2 4-year terms (if to fill vacancy, max 10 years)• Members elect chairperson and vice-chairperson annually• Members receive no salary; expenses reimbursed <p>11 Members:</p> <p><u>Appointed by Supreme Court</u> 1 judge from court of appeal 2 trial court judges</p> <p><u>Appointed by Governor</u> 2 members of State Bar (in practice for 10 years in CA) 2 lay citizens</p> <p><u>Appointed by Senate Committee on Rules</u> 2 lay citizens</p> <p><u>Appointed by Speaker of Assembly</u> 2 lay citizens</p>	<p>Code of Judicial Ethics:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge’s activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge shall so conduct the judge’s quasi-judicial and extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity</p> <p>Canon 6: Compliance with the Code of Judicial Ethics</p>	<p>No official ethics advisory committee or opinions.</p>
---	---	---

ARIZONA

www.supreme.state.az.us/ethics

Commission on Judicial Conduct

- Responds to ethics questions from judges and court staff with informal and formal advisory opinions
- Provides administrative support for Judicial Ethics Advisory Committee
- Members are appointed for staggered 6-year terms
- Members elect chairperson, vice-chairperson, and secretary, each of whom may serve successive 2-year terms
- Members receive no salary; expenses reimbursed

11 Members:

Appointed by Supreme Court

- 2 judges from court of appeal
- 2 judges from superior court
- 1 justice of the peace
- 1 judge from municipal court

Appointed by Governing Body of State Bar of AZ

- 2 attorneys, members of state bar

Appointed by Governor, Confirmed by Senate

- 3 lay citizens

Judicial Ethics Advisory Committee

- Established by Supreme Court Rule 82
- Renders advisory opinions on proper judicial and employee conduct
- Makes recommendations to Supreme Court for amendment of Code of Judicial Conduct
- Makes recommendations regarding appropriate subjects for judicial education programs
- Does not share files with the Commission on Judicial Conduct
- Does not disclose names of judges requesting opinions
- Members meet periodically; most business conducted by phone or internet
- All members appointed by Chief Justice of AZ Supreme Court for 3-year terms
- AZ Supreme Court also appoints chairperson; chairperson appoints vice-chairperson

9 Members:

- At least 1 judge from appellate court
- At least 1 judge from superior court
- 1 judge from municipal court
- 1 judge from justice of the peace court
- 1 judge designated by administrator
- at least 1 member of public

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Commission on Judicial Conduct:

Has a depository of 53 cases decided by the AZ Supreme Court interpreting the Code of Judicial Conduct dating from 1980 – 2005. Includes published and unpublished opinions.

Judicial Ethics Advisory Committee:

Has a Web site listing advisory opinions by year and title. Web site has a subject index and allows for custom searches and searches by canon.

ALABAMA
www.alalinc.net/jic

<p>Judicial Inquiry Commission</p> <ul style="list-style-type: none"> • Receives/initiates complaints about judges with Court of the Judiciary • Conducts investigations • Prosecutes complaints • Issues advisory opinion at written request of judge; can only issue opinion on that particular judge's conduct • Opinions issued pursuant to Commission Rule 17, adopted by Supreme Court • Members serve 4-year terms • Commission appoints chairperson • Members who are judges only receive reimbursement of necessary expenses • Members who are not judges receive per diem compensation and necessary expenses <p>9 Members: <u>Appointed by Supreme Court</u> 1 appellate judge (not on Supreme Court)</p> <p><u>Appointed by Circuit Judges' Association</u> 2 judges of circuit court</p> <p><u>Appointed by Governor, Subject to Senate Confirmation</u> 1 district judge 3 lay citizens</p> <p>Court of the Judiciary</p> <ul style="list-style-type: none"> • Hears complaints filed by Judicial Inquiry Commission • Has authority, after notice and hearing to (1) remove from office, suspend without pay, or censure judge, or other sanctions, or (2) to suspend with or without pay or to retire a judge who is physically or mentally unable to perform duties <p>9 Members: <u>Appointed by Supreme Court</u> 1 judge from appellate court (not from Supreme Court) to serve as Chief Judge of Court of the Judiciary</p> <p><u>Appointed by Circuit Judges' Association</u> 2 judges from circuit court</p> <p><u>Appointed by District Judges' Association</u> 1 district judge</p> <p><u>Appointed by Governing Body of Alabama State Bar</u> 2 attorneys, members of state bar</p> <p><u>Appointed by Governor, Subject to Senate Confirmation</u> 3 lay persons</p>	<p>Alabama Canons of Judicial Ethics:</p> <p>Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge should avoid impropriety and the appearance of impropriety in all his activities</p> <p>Canon 3: A judge should perform the duties of his office impartially and diligently</p> <p>Canon 4: A judge may engage in activities to improve the law, the legal system, and the administration of justice</p> <p>Canon 5: A judge should regulate his extra-judicial activities to minimize the risk of conflict with his judicial duties</p> <p>Canon 6: A judge should regularly file reports of his financial interests</p> <p>Canon 7: A judge or a judicial candidate shall refrain from political activity inappropriate to judicial office</p>	<p>Judicial Inquiry Commission: Advisory opinions from 1976 – 2006 are available on the Commission's Web site, indexed by subject matter and canons discussed in the opinion.</p>
---	---	---

ALASKA

www.ajc.state.ak.us/conduct.htm

Commission on Judicial Conduct

- Investigates complaints
- Makes decision to exonerate judge, recommend counseling or recommend that Supreme Court take formal action
- Supreme Court imposes the sanctions
- Issues formal opinions pursuant to Commission Rule 19

9 Members:

Elected by Justices and Judges of State Courts

3 justices or judges of state courts

Appointed by the Governor from Nominations Made by the Governing Body of the Organized Bar, Subject To Confirmation by a Majority of Members of Legislature in Joint Session

3 attorneys who are members of bar and in practice for 10 years in Alaska

Appointed by Governor, Subject to Confirmation by Majority of Members of Legislature in Joint Session

3 lay persons

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Commission on Judicial Conduct:

Issues Formal Ethics Opinions of which 23 are available on the Web site. Gives brief rule and holding on specific ethics issues.

U.S. Advisory Opinions are also available on the Web site from 1997 – 2004. These are published by the Committee on Codes of Conduct and addressed to federal court judges.

ARKANSAS

www.state.ar.us/jddc

<http://www.state.ar.us/jeac/index.html>

[http://www.supreme.state.az.us/ethics/Judicial Ethics Advisory Committee.htm](http://www.supreme.state.az.us/ethics/Judicial_Ethics_Advisory_Committee.htm)

Judicial Discipline and Disability Commission

- Receives complaints, conducts investigations and hearings, makes recommendations to Supreme Court
- Supreme Court imposes sanctions
- Employs attorney director
- Members all in-state residents
- Members serve for 6-year terms; can reappoint to a second full term
- If appointed for less than 6-year term or to fill an unexpired term, may reappoint for 2 full terms
- Appointing authority appoints an alternate member for each regular member appointed
- Alternate member serves for 6-year term; can be reappointed to second full term; if term is less than 6 years or an unexpired term, may reappoint for 2 full terms
- Members get no pay, but get per diem and travel expenses for meetings and official business

9 members:

Appointed by Supreme Court

3 justices or judges

1 Appointed by Attorney General, 1 by President of the Senate, 1 by Speaker of the House of

Representatives

3 attorneys admitted to practice in the state (not justices or judges)

Appointed by the Governor

3 lay persons

Judicial Ethics Advisory Committee

- Established by Judicial Discipline and Disability Commission
- Issues advisory opinions to elected officials, judicial officers, and candidates for judicial office seeking opinions about compliance with the Code for prospective conduct only
- Receives requests for advisory opinions from Commission
- Elects a chair for the committee
- Members serve 3-year terms
- Members cannot be on Commission and Committee at the same time
- Members reimbursed for necessary expenses

3 Members:

Appointed by Judicial Discipline and Disability Commission

2 retired justices or judges

1 attorney who is member of state bar and never publicly elected to judicial office

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Judicial Discipline and Disability Commission:

Has a list of cases on Web site dating from 1990 – 2005 in which the court imposed sanctions on judges. Can click on the link to read the opinion.

Judicial Ethics Advisory Committee:

Has list of advisory opinions in full text dating from 1991 – 2005. Categorized by number and subject matter.

COLORADO

<http://www.courts.state.co.us/supct/committees/judicialdiscipline.htm>

<http://www.courts.state.co.us/supct/committees/judicialethicsadvisoryboard/judethics.htm>

<p>Judicial Discipline Commission</p> <ul style="list-style-type: none">• Investigates complaints, except those regarding judges from Denver County Court or municipal court (go to respective mayor)• Remedies improper conduct, including meeting privately with judge, privately or publicly reprimanding, or recommending removal to Supreme Court• Makes recommendation to Supreme Court• Members serve staggered 4-year terms• No compensation for services, but members reimbursed for expenses <p>10 Members: <u>Appointed by Supreme Court</u> 2 judges from district court 2 judges from county court</p> <p><u>Appointed by Governor, Subject to Senate Confirmation</u> 2 attorneys in practice at least 10 years in state 4 lay persons</p> <p>Judicial Ethics Advisory Board</p> <ul style="list-style-type: none">• Established by Chief Justice Directive 94-01• Can direct request for opinion to Board• Not binding on Commission• Members serve for 3-year terms• Reimbursed for expenses• Members elect chairperson• Chief Justice may appoint staff <p>7 Members: <u>Appointed by Chief Justice of Supreme Court</u> 4 judges from state court, active or retired 1 attorney (not justice or judge) admitted to practice in state for at least 10 years 1 law professor with interest in ethics 1 lay person</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge should avoid impropriety and the appearance of impropriety in all the judge's activities</p> <p>Canon 3: A judge should perform the duties of his or her office impartially and diligently</p> <p>Canon 4: A judge is encouraged to engage in quasi-judicial activities to improve the law, the legal system, and the administration of justice</p> <p>Canon 5: A judge is encouraged to participate in extra-judicial activities</p> <p>Canon 6: A judge should regularly file reports of compensation received for quasi-judicial and extra-judicial activities</p> <p>Canon 7: A judge should refrain from political activity inappropriate to his or her judicial office</p> <p>Canon 8: Applicability</p>	<p>Judicial Ethics Board: Board researches question and issues public opinion. Web site lists advisory opinions from 2004 – 2006.</p>
---	--	--

CONNECTICUT

<http://www.jud.ct.gov>

<p>Judicial Review Council</p> <ul style="list-style-type: none">• Investigates complaints against judges• Initiates investigations• Employs an executive director• Members serve 4-year terms• Alternate members serve 3-year terms <p>12 Members: <u>Appointed by Governor from List of 6 Judges Selected by Members of Superior Court, Approved by General Assembly</u> 3 superior court judges, not also Supreme Court judges</p> <p><u>Appointed by Governor, Approved by General Assembly</u> 3 attorneys admitted to practice in state 3 lay persons</p> <p>13 Alternate Members: <u>Appointed by Governor, Approved by General Assembly</u> 2 superior court judges, not also Supreme Court, from a list of 4 judges selected by members of superior court 2 attorneys admitted to practice in state 3 lay persons 3 compensation commissioners 3 family support magistrates</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge should avoid impropriety and the appearance of impropriety in all the judge's activities</p> <p>Canon 3: A judge should perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge should regulate extrajudicial activities to minimize the risk of conflict with his or her judicial duties</p> <p>Canon 6: A judge should regularly file reports of compensation received for quasi-judicial and extra-judicial activities</p> <p>Canon 7: A judge should refrain from political activity inappropriate to the judicial office</p>	<p>CT has an Office of State Ethics, but it only addresses ethics questions concerning public officials and state employees. Lists advisory opinions interpreting the Code of Ethics for Public Officials.</p>
---	--	--

DELAWARE

<http://courts.delaware.gov/jeac/>

Judicial Ethics Advisory Committee

- Established by Court on the Judiciary Rule 18
- Issues express opinions on proper judicial conduct
- Adopts rules relating to the procedures used in expressing opinions
- Members serve staggered 3-year terms; max 2 consecutive terms
- Chief Justice of Supreme Court appoints the chair, vice-chair, and secretary
- Chief Justice designates a Justice of the DE Supreme Court to serve as the administrative liaison between the Court on the Judiciary and the Judicial Ethics Advisory Committee

7 Members:

Appointed by the Chief Justice of the Supreme Court

- 1 judge from Court of Chancery
- 1 judge from Superior Court
- 1 judge from Family Court
- 1 judge from Court of Common Pleas
- 1 judge from Justice of the Peace Court
- No member from Court on the Judiciary

Code of Judicial Conduct:

Canon 1: A judge should uphold the integrity and independence of the judiciary

Canon 2: A judge should avoid impropriety and the appearance of impropriety in all activities

Canon 3: A judge should perform the duties of office impartially and diligently

Canon 4: A judge may engage in activities to improve the law, the legal system, and the administration of justice

Canon 5: A judge should regulate extrajudicial activities to minimize the risk of conflict with judicial duties

Canon 6: A judge should regularly file reports of compensation received for law-related and extra-judicial activities

Canon 7: A judge should refrain from political activity inappropriate to the judge's judicial office

Judicial Ethics Advisory Committee:

Has a database for opinions dating from 1985 – 2006. It states the rule from the case. Also, has a link to view the full text.

DISTRICT OF COLUMBIA
<http://dc.gov/agencies/detail.asp?id=8>

Commission on Judicial Disabilities & Tenure

- Reviews misconduct, evaluates reappointment, and conducts fitness and performance reviews of judges

Advisory Committee on Judicial Conduct

- Established by Order of Joint Committee on Judicial Administration
- Issues advisory opinions

5 Members:

3 judges from appellate courts
2 judges from superior courts

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Advisory Committee on Judicial Conduct:

Lists opinions dating from 1991 – 2002 located at:

<http://www.dccourts.gov/dccourts/about/code.jsp>

States topic discussed in opinion. Click on link to view full text.

FLORIDA

<http://www.jud6.org/LegalCommunity/LegalPractice/opinions/jeacopinions/jeac.html>

<p>Judicial Qualification Commission</p> <ul style="list-style-type: none">• Investigates complaints• Complaints must be filed with Commission only• 2 panels: investigative panel and hearing panel• Makes recommendations to Supreme Court• Members serve staggered 6-year terms <p>15 Members:</p> <p><u>Appointed by Court of Appeal Judges</u> 2 district court of appeal judges</p> <p><u>Appointed by Circuit Courts Judges</u> 2 circuit court judges</p> <p><u>Appointed by County Courts Judges</u> 2 county court judges</p> <p><u>Appointed by Governing Body of State Bar</u> 5 attorneys, members of state bar</p> <p><u>Appointed by Governor</u> 5 lay persons</p> <p>Judicial Ethics Advisory Committee</p> <ul style="list-style-type: none">• Established by Supreme Court Order published at 327 So.2d 5 (1976); rev'd (September 4, 1997)• Renders advisory opinions to judges about contemplated judicial and non-judicial conduct• Not binding on Commission• Considered evidence of good faith effort to comply with Code for a particular judge• Cannot use as authority to justify conduct of another judge or use as evidence of good faith for another judge, unless the underlying facts are identical• Must be in writing• File with clerk of Supreme Court and chair of Commission• Name of judge must be delete <p>10 Members:</p> <p><u>Appointed by District Court of Appeal Judges</u> 3 district court of appeal judges</p> <p><u>Appointed by Circuit Court Judges</u> 4 circuit court judges</p> <p><u>Appointed by County Court Judges</u> 2 county court judges</p> <p><u>Appointed by FL Bar's Board of Governors</u> 1 attorney, member of state bar</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge is encouraged to engage in activities to improve the law, the legal system, and the administration of justice</p> <p>Canon 5: A judge shall regulate extrajudicial activities to minimize the risk of conflict with judicial duties</p> <p>Canon 6: Fiscal matters of a judge shall be conducted in a manner that does not give the appearance of influence or impropriety, etc</p> <p>Canon 7: A judge or candidate for judicial office shall refrain from inappropriate political activity</p>	<p>Judicial Ethics Advisory Committee:</p> <p>Classifies all the advisory opinions by year from 1972 – 2006 and by subject. Can click on link (date or subject) to find specific opinion or can do a general search of all opinions.</p>
---	--	---

GEORGIA

www.georgiacourts.org/agencies/jqc/

Judicial Qualifications Committee

- Investigates complaints
- Holds hearings
- Makes recommendations for sanctions to Supreme Court
- Issues opinions about appropriate judicial conduct pursuant to Commission Rule 22 adopted by Supreme Court
- Members serve 4-year terms, until successors are appointed and qualified

7 members:

Appointed by Supreme Court

2 judges from any court

Appointed by State Bar

3 lawyers, in practice for at least 10 years

Appointed by Governor

2 citizens, not members of state bar

Code of Judicial Conduct:

Canon 1: Judges shall uphold integrity and independence of the judiciary

Canon 2: Judges shall avoid impropriety and the appearance of impropriety in all their activities

Canon 3: Judges shall perform the duties of their office impartially and diligently

Canon 4: Judges may engage in activities to improve the law, the legal system, and the administration of justice

Canon 5: Judges shall regulate their extra judicial activities to minimize the risk of conflict with their judicial duties

Canon 6: Judges should regularly file reports of compensation received for quasi judicial and extra judicial activities

Canon 7: Judges shall refrain from political activity inappropriate to their judicial office

Judicial Qualifications Committee:

Provides list of 42 opinions and short summary of opinions. Brief rule and holding. Can click on opinion number to view full text.

HAWAII

http://www.courts.state.hi.us/page_server/Courts/6246694EDACA822EF045753354.html

Commission on Judicial Conduct

- Receives and investigates written complaints
- Has authority to issue advisory opinions under Rule 8.15 of the Supreme Court
- Members serve staggered 3-year terms

7 Members:

Appointed by Supreme Court

3 attorneys, 1 of whom serves as chair

4 lay members

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Commission on Judicial Conduct:

Formal opinions can be sent to all judges, Supreme Court law library, bar association, state ethics commission.

IDAHO

<http://www.judicialcouncil.idaho.gov>

<p>Judicial Council</p> <ul style="list-style-type: none">• Investigates complaints• Recommends sanctions to Supreme Court• Provides guidance to judges on ethics questions. <p>7 Members: Chief Justice of Supreme Court (Chair-person of Council) 1 district court judge</p> <p><u>Appointed by Governing Body of State Bar, Subject to Senate Confirmation</u> 2 lawyers</p> <p><u>Appointed by Governor, Subject to Senate Confirmation</u> 3 lay persons</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge shall so conduct the judge’s extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Judicial Council: Issues informal ethics opinions.</p>
---	--	--

ILLINOIS

www.state.il.us/jib

<http://www.ija.org/ethicsop/ethindex.htm>

<p>Judicial Inquiry Board</p> <ul style="list-style-type: none">• Investigates complaints• Files complaints with Courts Commission <p>9 Members:</p> <p><u>Appointed by Supreme Court</u> 2 circuit court judges</p> <p><u>Appointed by Governor</u> 3 lawyers 4 lay persons</p> <p>Courts Commission</p> <ul style="list-style-type: none">• Hears complaints filed by the Judicial Inquiry Board• Imposes sanctions <p>Judicial Ethics Committee</p> <ul style="list-style-type: none">• Issues opinions• Can reconsider past opinions upon request and withdraw or revise them <p>Currently 16 Members: (comprised of members of Chicago Bar, IL State Bar, and IL Judges Associations) 8 judges 2 justices 1 professor 5 others, possibly attorneys</p>	<p>Code of Judicial Conduct:</p> <p>Rule 61 - Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Rule 62 - Canon 2: A judge should avoid impropriety and the appearance of impropriety in all of the judge’s activities</p> <p>Rule 63 - Canon 3: A judge should perform the duties of judicial office impartially and diligently</p> <p>Rule 64 - Canon 4: A judge may engage in activities to improve the law, the legal system, or the administration of justice</p> <p>Rule 65 - Canon 5: A judge should regulate his or her extra-judicial activities to minimize the risk of conflict with the judge’s judicial duties</p> <p>Rule 66 - Canon 6: Nonjudicial compensation and annual statement of economic interests</p> <p>Rule 67 - Canon 7: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Judicial Ethics Committee: Has list of opinions dating from 1993 – 2006.</p>
---	--	--

INDIANA

<http://www.in.gov/judiciary/jud-qual/opinions.html>

<p>Judicial Qualifications Commission</p> <ul style="list-style-type: none">• Receives and investigates complaints• Meets at least quarterly• Can act with quorum of 4 of 7 members• Chief Justice is ex officio member and Chairman of Commission• Can issue advisory opinions• Lay citizen and attorney members serve 3-year terms• Commission also serves as the Judicial Nominating Commission to recruit and interview applicants for vacancies on Supreme Court, Court of Appeal, and Tax Court. Forwards 3 nominees to Governor. Nominating Commission also selects the Chief Justice of the Supreme Court for 5-year term <p>7 Members: Chief Justice</p> <p><u>Appointed by Governor, 1 from Each of 3 Districts</u> 3 lay citizens</p> <p><u>Elected by Lawyers Residing in Their Respective Districts</u> 3 attorneys</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Judicial Qualifications Committee:</p> <p>Has list of advisory opinions categorized by canon. States brief summary of case.</p>
--	--	---

IOWA

<http://www.judicial.state.ia.us>

<p>Commission on Judicial Qualifications</p> <ul style="list-style-type: none">• Receives, investigates and evaluates complaints on judicial misconduct• Recommends sanctions to Supreme Court• Members serve staggered 6-year terms <p>7 Members: <u>Appointed by Chief Justice of Supreme Court</u> 1 district court judge 2 lawyers</p> <p><u>Appointed by Governor, Subject to Senate Confirmation</u> 4 persons</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge should avoid impropriety and the appearance of impropriety in all activities</p> <p>Canon 3: A judge should perform the duties of office impartially and diligently</p> <p>Canon 4: A judge may engage in activities to improve the law, the legal system, and the administration of justice</p> <p>Canon 5: A judge should regulate extra-judicial activities to minimize the risk of conflict with judicial duties</p> <p>Canon 6: Compensation received for quasi-judicial and extra-judicial activities</p> <p>Canon 7: A judge should refrain from political activity inappropriate to the judicial office</p>	<p>No ethics advisory committee or opinions.</p>
--	---	--

KANSAS

http://www.kscourts.org/ctruls/jud_602.htm

<http://www.kscourts.org/clerkct/judethindex.htm>

Commission on Judicial Qualifications

- Members serve staggered 4-year terms
- Elects chair and vice-chair to serve 1-year term

14 Members:

Appointed by Supreme Court

6 active or retired judges

4 non-lawyers

4 lawyers

Kansas Judicial Ethics Advisory Committee

- Established by Supreme Court Rule 650
- Issues opinions for judges seeking opinions concerning the compliance of intended, future course of conduct with the Code
- Can serve as evidence for complaint with Commission
- Members reimbursed for actual and necessary expenses

Members:

No more than 3 retired justices or judges

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Kansas Judicial Ethics Advisory Committee:

Lists advisory opinions dating from 1984 – 2006. Categorized by year. States brief description of topic.

KENTUCKY

<http://courts.ky.gov/jec>

<http://courts.ky.gov/jec/jeo.htm>

Judicial Conduct Commission

- Investigates complaints
- Actions subject to review by Supreme Court
- Members serve 4-year terms

6 Members:

Appointed by Court of Appeals

1 court of appeals judge

Appointed by Circuit Court

1 circuit court judge

Appointed by District Court

1 district court judge

Appointed by Governing Body of State Bar

1 member of state bar

Appointed by Governor

2 lay persons

Ethics Committee of the Kentucky Judiciary

- Established by Supreme Court Rule 4.310(3)
- Issues formal and informal opinions
- Can seek review of opinion with Supreme Court by filing with clerk within 30 days after the end of the month in which it was published. File motion to review stating grounds of dissatisfaction with opinion. Must attach copy of opinion or published summary. Serve on Committee and on justice, judge, or commissioner if movant is someone other than the one who initiated the request for an opinion
- Elects chairperson for Committee
- Members serve 4-year terms
- Members cannot be members of Commission

5 Members:

1 court of appeals judge

1 circuit court judge

1 district court judge

Appointed by Governor

2 members of state bar

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Ethics Committee of the Kentucky Judiciary:

Can click on link to view 107 opinions located at:

<http://courts.ky.gov/jec/jeo.htm>

LOUISIANA

http://www.lasc.org/la_judicial_entities/judiciary_commission.asp

<p>Judiciary Commission</p> <ul style="list-style-type: none">• Receives complaints• Investigates complaints• Holds hearings on complaints• Recommends sanctions to Supreme Court• Meets at least once per quarter• Members serve 4-year terms; cannot succeed themselves as members <p>9 Members: <u>Appointed by Supreme Court</u> 1 court of appeal judge 2 district court judges</p> <p><u>Appointed by Conference of Court of Appeal Judges</u> 2 attorneys, in practice at least 10 years 1 attorney, in practice 3-10 years</p> <p><u>Appointed by Louisiana District Judges Association</u> 3 lay citizens</p> <p>Supreme Court Committee on Judicial Ethics</p> <ul style="list-style-type: none">• Established by addendum to Code of Judicial Conduct adopted by Supreme Court• Issues advisory opinions <p>9 Members: Chief Justice 1 other member of Supreme Court Chair of conference of court of appeals judges 1 other court of appeals judge President of district judges association 1 other district court judge President of city judges' association Judicial administrator President of bar association</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all activities</p> <p>Canon 3: A judge shall perform the duties of office impartially and diligently</p> <p>Canon 4: A judge may engage in quasi-judicial activities to improve the law, the legal system, and the administration of justice</p> <p>Canon 5: A judge shall regulate extra-judicial activities to minimize the risk of conflict with judicial duties</p> <p>Canon 6: A judge shall accept compensation or gifts for quasi-judicial and extra-judicial activities only under restricted circumstances</p> <p>Canon 7: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Supreme Court Committee on Judicial Ethics:</p> <p>Opinions published in digest given to all new judges and updated periodically.</p>
---	---	---

MAINE

http://www.courts.state.me.us/rules_forms_fees/rules/JudRespDisabR%207-04.htm

Committee on Judicial Responsibility and Disability

- Receives and investigates complaints
- Holds hearings
- Recommends sanctions to Supreme Court
- Members serve staggered 6-year terms
- Alternate members appointed by Supreme Court, for 6-year terms
- Supreme Court appoints chairperson of Committee
- Committee designates from members a vice-chairperson and secretary

7 Members:

Appointed by Supreme Court

2 either active or retired superior court judges, district court judges, or judges of probate (no 2 judiciary members from same court)

2 attorneys, members of state bar

3 lay residents

Judicial Ethics Committee

- Established by Administrative Order of the Supreme Court
- Advises judges regarding their own prospective conduct

8 Members:

4 judges

1 lawyer

2 non-lawyers

Attorney General or designee (ex-officio)

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Canon 6: A judge shall file annual financial disclosure reports

Judicial Ethics Committee:

Opinions sent with slip opinions to judges, superior court clerks, and lawyers who subscribe to slip opinions; sent to Maine Lawyers Review, State Law Library, County Law Library, and Committee on Judicial Responsibility; printed in state bar association journal.

MARYLAND

<http://www.courts.state.md.us/judicialdisabilities.html>

<http://www.courts.state.md.us/ethics/index.html>

Commission on Judicial Disabilities

- Conducts preliminary investigation of complaints of disabilities
- Conducts hearings
- Recommends sanctions or further investigation to Court of Appeals

11 Members:

Appointed by Governor, Subject to

Senate Confirmation

- 1 appellate court judge
- 1 circuit court judge
- 1 district court judge
- 3 lawyers, in practice at least 7 years
- 5 lay persons

Judicial Ethics Committee

- Established by canon 7 of Code of Judicial Conduct adopted by Court of Appeals
- Responds to requests by judges or other state judicial officials seeking compliance with proper application of an ethics provision

9 Members:

Appointed Annually by Chief Judge of Court of Appeals

- 6 judges
- 1 clerk of court
- 1 master
- 1 lay person

Judicial Ethics Committee:

Lists 7 published opinions dating from 2003 – 2005. Located at:

<http://www.courts.state.md.us/ethics/>

MASSACHUSETTS

<http://www.mass.gov/cjc>

<http://www.mass.gov/courts/courtsandjudges/courts/supremejudicialcourt/cje/search.html>

Commission on Judicial Conduct

- Investigates complaints
- Recommends discipline to Supreme Court
- Members serve 6-year terms; cannot succeed themselves as members except when membership is due to filling a vacancy for remainder of unexpired term
- No salary; reimbursement of expenses

9 Members:

Appointed by Supreme Court

3 judges not from same court and not from Supreme Court

Appointed by Chief Administrative Justices of Trial Court

3 members of bar, not judges

Appointed by Governor

3 lay persons

Committee on Judicial Ethics

- Established by Supreme Judicial Court Rule 3:11
- Provides advisory opinions and informal advice to judges and to individuals nominated to be judges
- Provides informal oral advice on possible application of the Code to judge's situation

Currently 5 Members:

1 juvenile court judge
1 district court judge
1 appeals court judge
1 probate and family court judge
1 professor of Boston College Law School

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extrajudicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge shall refrain from political activity

Canon 6: Compliance with this code

Committee on Judicial Ethics:

Lists opinions. Uses chronological index and subject index. Also, has 2 canon indexes. One for the Code in effect as of 10/1/03. The other for the Code in effect through 9/30/03.

MICHIGAN

<http://jtc.courts.mi.gov/>

<http://www.michbar.org/opinions/ethicsopinions.cfm>

<http://www.michbar.org/generalinfo/ethics/>

<p>Judicial Tenure Commission</p> <ul style="list-style-type: none">• Investigates complaints• Recommends discipline to Supreme Court• Members serve 3-year terms <p>9 Members:</p> <p><u>Appointed by Court of Appeals</u> 1 court of appeals judge</p> <p><u>Appointed by Circuit Court</u> 1 circuit court judge</p> <p><u>Appointed by Probate Court</u> 1 probate court judge</p> <p><u>Appointed by a Court of Limited Jurisdiction</u> 1 judge from a court of limited jurisdiction</p> <p><u>Appointed by Members of State Bar</u> 1 judge, member of state bar 2 non-judges, members of state bar</p> <p><u>Appointed by Governor</u> 2 lay persons</p> <p>Michigan State Bar Standing Committee on Judicial Ethics</p> <ul style="list-style-type: none">• Authorized by Supreme Court to issue opinions• Issues opinions regarding ethics issues for judges• Full standing committee divided into subcommittees on professional and judicial ethics• Professional committee has 21 members <p>15 Members: 9 members of Standing Committee on Judicial Ethics (all lawyers)</p> <p><u>Appointed by Michigan Judges Association</u> 2 members</p> <p><u>Appointed by Michigan Probate Judges Association</u> 2 members</p> <p><u>Appointed by Michigan District Judges Association</u> 2 members</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge should avoid impropriety and the appearance of impropriety in all activities</p> <p>Canon 3: A judge should perform the duties of office impartially and diligently</p> <p>Canon 4: A judge may engage in activities to improve the law, the legal system, and the administration of justice</p> <p>Canon 5: A judge should regulate extra-judicial activities to minimize the risk of conflict with judicial duties</p> <p>Canon 6: A judge should regularly file reports of compensation received for quasi-judicial and extra-judicial activities and of monetary contributions</p> <p>Canon 7: A judge or candidate for judicial office should refrain from political activity inappropriate to judicial office</p> <p>Canon 8: Collective activity by judges; judges are accountable for their actions under the Code when acting collectively in concert with other judges</p>	<p>Judicial Tenure Commission: Issued advisory opinions up until October 1988. Lists these at: http://www.michbar.org/opinions/ethics/jtcopinions.cfm</p> <p>Standing Committee on Judicial Ethics: Lists opinions dating from 1974 interpreting the Code categorized by canon at: http://www.michbar.org/opinions/ethics/mcjc.cfm. Opinions dating prior to October 1, 1973 (when Code became effective), see former Michigan Canons on Judicial Ethics.</p>
--	--	--

MINNESOTA

<http://www.bjs.state.mn.us/>

Board on Judicial Standards

- Investigates complaints
- Conducts hearings
- Recommends discipline to Supreme Court
- Issues advisory opinions
- Members serve 4-year terms; max 2 terms

10 Members:

Appointed by Governor, Subject to Senate Confirmation

1 court of appeals judge

3 trial judges

2 lawyers in practice in state for at least 10 years

4 lay citizens

Code of Judicial Conduct:

Canon 1: A judge should uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all activities

Canon 3: A judge shall perform the duties of office impartially and diligently

Canon 4: A judge shall conduct all extra-judicial activities so as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from political activity inappropriate to judicial office

Board on Judicial Standards:

General summaries included in annual report.

MISSISSIPPI

www.judperf.state.ms.us

Commission on Judicial Performance

- Receives, investigates, and processes complaints
- Recommends discipline to Supreme Court
- Members serve 6-year terms
- No salary; reimbursement of reasonable and necessary travel expenses
- Appoints and removes executive director and other staff

7 Members:

Appointed by Chief Justice of Supreme Court upon Recommendation of Governor

1 circuit court judge

Appointed by Chief Justice of Supreme Court upon Recommendation of Lieutenant Governor

1 chancellor

Appointed by Chief Justice of Supreme Court upon Recommendation of Speaker of the House

1 county court judge

Appointed by Chief Justice of Supreme Court

1 justice court judge

Appointed by Chief Justice of Supreme Court upon Recommendation of Governing Board of State Bar

1 practicing attorney

Appointed by Chief Justice of Supreme Court

2 lay persons who are not residents of same Supreme Court district

Code of Judicial Conduct:

Canon 1: A judge should uphold the integrity and independence of the judiciary

Canon 2: A judge should avoid impropriety and the appearance of impropriety in all his activities

Canon 3: A judge should perform the duties of his office impartially and diligently

Canon 4: A judge may engage in activities to improve the law, the legal system, and the administration of justice

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

No ethics advisory committee or opinions.

MISSOURI

<http://www.courts.mo.gov/page.asp?id=230>

**Commission on Retirement,
Removal and Discipline**

- Receives and investigates all requests for retirement of judges because of disability and all complaints of alleged misconduct
- Initially conducts informal investigation
- If finding of probable cause, then initiates formal investigation
- Recommends discipline to Supreme Court
- Provides ethics opinions

6 Members:

- 1 court of appeals judge
- 1 circuit court judge
- 2 lawyers
- 2 non-lawyers

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extrajudicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or certain of the judge's employees shall refrain from inappropriate political activity

**Commission on Retirement,
Removal and Discipline:**

Copies of opinions to all judges; published in Missouri Bar Bulletin.

MONTANA

<http://courts.mt.gov/supreme/boards/jsc.asp>

Judicial Standards Commission

- Investigates complaints
- May impose private sanctions
- Public sanctions, including suspension and removal, imposed by Supreme Court on recommendation by commission

5 Members:

Elected by District Judges

2 district judges from different judicial districts

Appointed by the Supreme Court

1 attorney, in practice in the state for 10 years

Appointed by the Governor

2 citizens from different congressional districts

Montana Supreme Court adopted 35 canons of judicial ethics. Located at:
http://courts.mt.gov/library/mt_law.asp

No ethics advisory committee or opinions.

NEBRASKA

<http://www.supremecourt.ne.gov/commissions/jqc.shtml>
<http://www.supremecourt.ne.gov/commissions/jecintro.shtml>

<p>Commission on Judicial Qualifications</p> <ul style="list-style-type: none">• Receives and investigates complaints• Upon finding of probable cause, may reprimand or conduct formal hearing• If hearing conducted, charges must be established by clear and convincing evidence• Recommends discipline to Supreme Court <p>10 Members: Chief Justice of Supreme Court – chairperson (permanent member) 1 county court judge 1 district court judge 1 separate juvenile court judge 3 attorneys 3 lay persons</p> <p>Judicial Ethics Committee</p> <ul style="list-style-type: none">• Established by Appendix A to Code of Judicial Conduct adopted by Supreme Court• Issues opinion on own initiative, at request of judge or judicial candidate, or at request of court of Commission• Opinions filed with State Court Administrator• Members serve 7-year terms• Supreme Court appoints 1 member as chair and 1 member as vice chair• Terms for chair and vice chair are staggered and individuals may be reappointed after a lapse of 1 year <p>7 Members: <u>Appointed by Supreme Court</u> 1 court of appeals judge 1 county court judge 1 district court judge 4 members from any affected courts, not Supreme Court</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge’s activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge shall so conduct all extrajudicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Judicial Ethics Committee: Opinions from 1994 – 2006 are available on its Web site categorized by year. Opinions prior to 1994 are available by calling the Administrative Office of the Courts (402) 471–3730.</p>
--	--	---

NEVADA

<http://www.judicial.state.nv.us>

Commission on Judicial Discipline

- Receives and investigates complaints
- Conducts formal hearings
- Orders discipline taken; files with clerk of Supreme Court
- Members serve 4-year terms
- No member can be member of a commission on judicial selection
- Commission elects chairperson from among its 3 lay members

7 Members:

Appointed by Supreme Court

2 justices or judges

Appointed by Board of Governors

2 members of state bar

Appointed by Governor

3 lay persons

Standing Committee on Judicial Ethics & Election Practices

- Established by Supreme Court Order adopted October 29, 1997
- Resolves ethical disputes during campaigns for judicial office
- Provides advisory opinions for judges
- Members serve 2-year terms; max 4 consecutive full terms
- Nevada Commission on Judicial Discipline appoints the chair and vice-chair from the attorney members to serve 2-year terms

16 Members:

Appointed by Supreme Court

2 district court judges

2 judges from either municipal court judges or justices of the peace

Appointed by Board of Governors

12 attorneys

Ethics Advisory Committee:

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Ethics Advisory Committee:

Advisory opinions dating from 1998 – 2006 are available at: <http://www.judicial.state.nv.us>. States question posed in opinion.

<ul style="list-style-type: none"> • Renders non-binding advisory opinions on hypothetical questions about the Code • May also be issued by a panel of the committee • If written opinion required, the opinion shall set forth the hypothetical facts without identifying the judge or candidate, identify the canon or authority relied on, include a discussion and conclusion, and be signed by the chair or vice-chair • Opinion must conclude with: “This opinion is issued by the Standing Committee on Judicial Ethics and Election Practices. It is advisory only. It is not binding upon the courts, the State Bar of Nevada, the Nevada Commission on Judicial Discipline, any person or tribunal charged with regulatory responsibilities, any member of the Nevada judiciary, or any person or entity which requested the opinion.” • Must file opinion with clerk of Supreme Court • Certain limitations exist prohibiting issuance of opinions <p>8 Members: Panel consists of 8 members including the chair or vice-chair, 1 district judge, 1 municipal judge or justice of the peace</p>		
---	--	--

NEW HAMPSHIRE

<http://www.courts.state.nh.us/committees/judconductcomm/index.htm>
<http://www.courts.state.nh.us/committees/adviscommjudethics/opinions.htm>

Judicial Conduct Committee

- Supreme Court uses the committee to oversee disciplinary process for judges
- Independent of Supreme Court

11 Members:

Appointed by the Supreme Court

- 1 active or retired superior court judge
- 1 active or retired district court judge
- 1 active or retired probate court judge
- 1 clerk of court
- 1 public member

Appointed by President of State Bar

- 1 lawyer
- 1 public member

Appointed by Governor

- 2 public members

Appointed by President of NH

Senate

- 1 public member

Appointed by Speaker of NH House

- 1 public member

Advisory Committee on Judicial Ethics

- Established by Supreme Court Rule 38-A
- Issues advisory opinions

5 Members:

Appointed by Supreme Court

- Includes at least 3 judges or retired judges, but no current justice on Supreme Court

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge should avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Advisory Committee on Judicial Ethics:

Lists opinions dating from 2002 – 2004. States the question posed in opinion. Can click on link to view full text.

NEW JERSEY

http://www.ajs.org/ethics/eth_conduct-orgs.asp

<p>Advisory Committee on Judicial Conduct</p> <ul style="list-style-type: none">• Investigates written complaints• Conducts preliminary investigations• Determines if formal proceedings are necessary• Conducts hearings• Recommends formal sanctions to Supreme Court• Court designates 1 member as chair and 1 member a vice chair• Chair selects 3-member investigatory panel• Members serve 3-year terms <p>9 Members: <u>Appointed by Supreme Court</u> At least 2 retired justices or judges of the Supreme Court or superior court At least 3 members of the state bar At most 4 public members who do not hold public office of any nature</p> <p>Advisory Committee on Extra Judicial Activities</p> <ul style="list-style-type: none">• Established by Supreme Court Rule 1:18A• Issues formal and informal advisory opinions <p>At Least 9 Members: 1 practicing attorney 1 public member</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1. A Judge Should Uphold the Integrity and Independence of the Judiciary</p> <p>Canon 2. A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities</p> <p>Canon 3. A Judge Should Perform the Duties of Judicial Office Impartially and Diligently</p> <p>Canon 4. A Judge May Engage in Activities to Improve the Law, the Legal System, and the Administration of Justice</p> <p>Canon 5. A Judge Shall so Conduct the Judge's Extra-Judicial Activities as to Minimize the Risk of Conflict with Judicial Obligations</p> <p>Canon 6. A Judge Shall Not Receive Compensation for Quasi-Judicial and Extra-Judicial Activities</p> <p>Canon 7. A Judge Shall Refrain from Political Activity</p>	<p>Advisory Committee on Extra Judicial Activities:</p> <p>Formal opinions published in Law Journal and sent to judges; informal opinions published as annotations to Guidelines for Extra Judicial Activities.</p>
---	--	--

NEW MEXICO

<http://www.fscll.org/JSC/Main.htm>

<http://jec.unm.edu/resources/advisoryopinions/index.htm>

Judicial Standards Commission

- Investigates complaints
- Conducts hearings
- Recommends discipline to Supreme Court
- Commission selects a lay citizen member to serve as chairperson

11 Members:

Appointed as Provided by Law –

Serve 4-year Terms

2 justices or judges

1 magistrate

2 lawyers

Appointed by Governor – Serve

Staggered 5-year Terms

6 lay citizens

**Judicial Advisory Committee/
Advisory Committee on Judicial
Conduct**

- Established by Supreme Court Order
- Responds to inquiries from judges seeking guidance on ethical dilemmas
- Issues advisory opinions by letter
- Not published; only available through Supreme Court Law Library or office of the Committee Chair. However, Judicial Education Center has copies

Membership Not Set:

1 court of appeals judge

2 district court judges

Currently also

1 law professor

1 attorney or public member

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: Disqualification

Canon 5: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 6: Reporting quasi-judicial and extra-judicial activities and compensation

Canon 7: Elections and political activity

Canon 8: A judge shall refrain from campaign fund-raising activities which have the appearance of impropriety

**Judicial Advisory Committee/
Advisory Committee on
Judicial Conduct:**

Opinions are categorized by topic, date, opinion number, handbook section, and code section at:

<http://jec.unm.edu/resources/advisoryopinions/index.htm>

NEW YORK

<http://www.scjc.state.ny.us/>

<http://www.nycourts.gov/ip/judicialethics/Opinions/>

Commission on Judicial Conduct

- Receives written complaints
- Investigates and hears complaints
- Determines discipline, subject to review by Court of Appeals
- Commission appoints an administrator and counsel
- Commission assisted by clerk of the commission who is lawyer
- Does not issue advisory opinions
- Members serve 4-year terms

11 Members:

Appointed by Governor

4 members

Appointed by Chief Judge of Court of Appeals

3 members

Appointed by 4 Leaders of State

Legislature

1 member each

Advisory Committee on Judicial Ethics

- Established by Part 101 of Rules of Chief Administrator of Courts
- Issues and publishes individual advisory opinions on ethical issues to judges
- Must be written request from judge within system
- Members serve 5-year terms

Membership:

“Such members as deemed necessary to carry out its duties”
All judges, former judges

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge’s activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge’s extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or candidate for elective judicial office shall refrain from inappropriate political activity

Commission on Judicial Conduct:

Lists public determinations dating from the 1970’s – present at:

http://www.scjc.state.ny.us/Determinations/all_decisions.htm

Advisory Committee on Judicial Ethics:

Ethics opinions are listed for 2005 at:

<http://www.nycourts.gov/ip/judicialethics/Opinions/>

NORTH CAROLINA

<http://www.nccourts.org/Courts/CRS/Councils/Standards.asp>

<p>Judicial Standards Commission</p> <ul style="list-style-type: none">• Receives and investigates written complaints• Recommends discipline to Supreme Court• Members serve 6-year terms <p>7 Members:</p> <p><u>Appointed by Chief Justice</u> 1 court of appeals judge 1 superior court judge 1 district court judge</p> <p><u>Appointed by State Bar Council</u> 2 attorneys</p> <p><u>Appointed by Governor</u> 2 lay citizens</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge should uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge should avoid impropriety in all his activities</p> <p>Canon 3: A judge should perform the duties of his office impartially and diligently</p> <p>Canon 4: A judge may participate in cultural or historical activities or engage in activities concerning the legal, economic, educational, or governmental system, or the administration of justice</p> <p>Canon 5: A judge should regulate his extra-judicial activities to ensure that they do not prevent him from carrying out his judicial duties</p> <p>Canon 6: A judge should regularly file reports of compensation received for quasi-judicial and extra-judicial activities</p> <p>Canon 5: A judge may engage in political activity consistent with his status as a public official</p>	<p>No ethics advisory committee or opinions.</p>
---	--	--

NORTH DAKOTA

http://www.ndcourts.com/court/committees/jud_cond/commission.asp

http://www.ndcourts.com/court/committees/jud_ethc/committee.asp

Judicial Conduct Commission

- Directs disposition of complaints
- Conducts reviews on the record
- Considers administrative matters
- Has disciplinary counsel to handle certain matters
- If commission directs filing of formal charges, commission chair appoints 4-member hearing panel with at least 2 citizen members of commission
- Hearing panel rules on the motions, conducts hearing, makes recommendation to Supreme Court for sanctions, dismisses case, or refers to commission for review on record

Members:

Currently 9 members, including judges and attorneys

Judicial Ethics Advisory Committee

- Established by resolution of judicial conference pursuant to legislative mandate
- Issues advisory opinions

Members:

Currently 6 members, including judges and attorneys

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Judicial Ethics Advisory Committee:

Formal opinions distributed to judges and bar associations periodically.

OHIO

<http://www.sconet.state.oh.us/boc/>

Board of Commissioners on Grievances & Discipline

- Conducts hearings, preserves the record, hears cases, makes findings and recommendations to the Supreme Court for discipline for judges, attorneys, persons under suspension from practice or law or currently on probation
- Issues informal non-binding advisory opinions on prospective or hypothetical questions
- Must submit request for opinion in writing to Secretary of the Board or the Staff Counsel
- Board can adopt regulations for the issuance of opinions subject to Supreme Court approval
- Members serve 3-year terms

28 Members:

Appointed by Chief Justice and Justices of the Supreme Court

7 active or retired judges

17 attorneys

4 non-attorneys

Code of Judicial Conduct:

[Canon 1. A Judge Shall Uphold the Integrity and Independence of the Judiciary](#)

[Canon 2. A Judge Shall Respect and Comply with the Law and Shall Act at all Times in a Manner that Promotes Public Confidence in the Integrity and Impartiality of the Judiciary](#)

[Canon 3. A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently](#)

[Canon 4. A Judge Shall Avoid Impropriety and the Appearance of Impropriety in all of the Judge's Activities](#)

[Canon 5 - 6. Reserved](#)

[Canon 7. Judges and Judicial Candidates Should Refrain From Political Activity Inappropriate to Judicial Office](#)
[Compliance with the Code of Judicial Conduct](#)

Board of Commissioners on Grievances & Discipline:

Advisory opinions available at: http://www.sconet.state.oh.us/boc/Advisory_Opinions/

Can search by subject area or keyword or phrase. Can also find using Lexis Nexis and Westlaw. Also available through the Board's office, Supreme Court of OH Law Library, County Law Libraries, and Law School Libraries.

OKLAHOMA

<http://www.oscn.net/applications/oscn/index.asp?ftdb=STOKCSJE&level=1>

Council on Judicial Complaints

- Investigates complaints
- Can recommend removal of a judge from office to the Court of the Judiciary

3 Members

Judicial Ethics Advisory Panel

- Provided for in Code of Judicial Ethics

Members:

Appointed by the Chief Justice

No more than 3 retired justices and/or judges

Code of Judicial Conduct:

Canon 1: A judge should uphold the integrity and independence of the judiciary

Canon 2: A judge should avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge should perform the duties of judicial office impartially and diligently

Canon 4: A judge should so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate should refrain from inappropriate political activity

Judicial Ethics Advisory

Panel:

Opinions listed by year, 1998 - present.

OREGON

<http://www.ojd.state.or.us/aboutus/cjfd/index.htm>

<p>Commission on Judicial Fitness and Disability</p> <ul style="list-style-type: none">• Reviews and investigates complaints on state judges and justices of the peace• If formal charges filed, then conducts public hearing• Recommends discipline to Supreme Court• Supreme Court makes final decision• Also investigates complaints from Chief Justice that judge’s disability is interfering with judge’s duties• Members serve 4-year terms <p>9 Members: <u>Appointed by Supreme Court</u> 3 judges</p> <p><u>Appointed by State Bar Board of Governors</u> 3 lawyers</p> <p><u>Appointed by Governor, Confirmed by Senate</u> 3 public members</p> <p>Judicial Conduct Committee of the Oregon Judicial Conference</p> <ul style="list-style-type: none">• Issues informal oral or formal written advisory opinions• Committee must maintain a log of the opinions available to the Supreme Court or the Commission upon request• Disseminates the opinions as it deems necessary to give advice on judicial ethics• Can serve as evidence of judge’s good faith in complying with Code <p>9 Members: 9 district and circuit court judges, geographically representative</p>	<p>Code of Judicial Conduct:</p> <p>Judicial Rule 1: Maintaining the integrity of the judicial system</p> <p>Judicial Rule 2: Impartial and diligent performance of judicial duties</p> <p>Judicial Rule 3: Extra-judicial activities; minimizing the risk of conflict with judicial obligations</p> <p>Judicial Rule 4: Political activity by a judge</p> <p>Judicial Rule 5: Application of judicial rules</p> <p>Judicial Rule 6: Advisory opinions on judicial conduct; consideration given in judicial conduct proceedings</p>	<p>Judicial Conduct Committee of the Oregon Judicial Conference Opinions not published.</p>
--	--	--

PENNSYLVANIA

<http://www.judicialconductboardofpa.org/>
<http://origin-www.courts.state.pa.us/ethics/>

Judicial Conduct Board

- Investigates complaints
- Prepares and brings cases against judges
- Members serve 6-year terms
- Board elects chairperson

12 Members (only residents):

Appointed by Supreme Court

- 1 superior court judge or commonwealth court judge
- 1 district justice, need not be member of state bar
- 1 non-judge member of bar
- 3 non-lawyer members

Appointed by Governor

- 1 judge of court of common pleas
- 2 non-judge members
- 3 non-lawyer members

Court of Judicial Discipline

- Hears and decides formal charges filed against a judicial officer
- Imposes sanctions if formal charges are sustained
- Consists of 7 judges from varying counties

Judicial Ethics Committee

- Supreme Court designates Committee as approved body to render advisory opinions regarding ethical concerns for judges
- Renders opinions about future conduct and past conduct relating to future conduct or continuing conduct
- Does not render opinions solely on past conduct
- Only renders opinion about judge's own conduct
- Must submit all material facts; will only consider material facts
- Judge should make request for opinion to the representative for the zone in which the judge sits

15 Members:

15 judges, broken down into 12 zones, plus 1 judge serving as counsel to the Committee

Code of Judicial Conduct:

Canon 1: Judges should uphold the integrity and independence of the judiciary

Canon 2: Judges should avoid impropriety and the appearance of impropriety in all of their activities

Canon 3: Judges should perform the duties of their office impartially and diligently

Canon 4: Judges may engage in activities to improve the law, the legal system, and the administration of justice

Canon 5: Judges should regulate their extra-judicial activities to minimize the risk of conflict with judicial duties

Canon 6: Compensation received for quasi-judicial and extra-judicial activities permitted by this Code

Canon 7: Judges should refrain from political activity inappropriate to their judicial office

Judicial Ethics Committee:

Formal Opinions

Located at: <http://origin-www.courts.state.pa.us/ethics/formal.htm>

Informal Opinions

Brief summary of opinion located at:

<http://origin-www.courts.state.pa.us/ethics/digests.htm>

Search words or phrases to find opinions in database

adjudicative responsibilities
announce views
appear
appearance of impropriety
attend political gatherings
broadcasting, televising, recording or taking photographs
campaign conduct and political activity
campaign funds and campaign contributions
character witness
civic and charitable activities
comply with the law
consult
contribute to a political party or organization
court-appointed employees
dignity
dignity of office
disciplinary measures
exploit judicial position
extrajudicial appointments
family and spouse
fiduciary activities
financial disclosure
former law firm
gifts
guest of honor
integrity and impartiality
integrity and independence
investment advice
letters of reference
marriage
mediation and arbitration
misrepresent
nomination petition
outside activities
pledges or promises of conduct
political activity and political conduct
prestige of office
public comment
public officials or employees
publicly endorse a candidate
publicly stated support
purchase tickets
recommendations
recommendations to public and private fund-granting agencies
recusal and disqualification
reliance on advisory opinions
retention
social and recreational activities
solicit funds and fundraising
speak, write, lecture, teach
spouse and family

RHODE ISLAND

<http://www.courts.state.ri.us/supreme/jtd/defaultjtd.htm>

Commission on Judicial Tenure and Discipline

- Provides forum for complaints against any judge or magistrate of the Supreme, Superior, Family, District, and Workers' Compensation Courts or the Traffic Tribunal
- Reviews allegations of serious violations of the Code
- After formal hearing, Commission determines whether charges were sustained
- Requires 8 members of Commission that were present throughout hearing to justify report to Supreme Court recommending discipline
- Dismisses complaint if charges not sustained
- Members serve 3-year terms except: the member of the judiciary at large serves for 3 years; members of general assembly serve 2 years as long as they remain members of the general assembly
- No member eligible for reappointment if member served more than 6 consecutive years

14 Members:

Appointed by Supreme Court

- 1 superior court judge
- 1 family court judge
- 1 district court judge
- 1 at large member from any court who is the chairperson of the Commission

Appointed by the Chief Justice of the Supreme Court

- 1 workers' compensation judge

Appointed by Speaker of the House

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Judicial Ethics Advisory Committee:

Opinions available at Supreme Court.

of Representatives

2 members of the general assembly

Appointed by the Minority Party

1 member of the general assembly

Appointed by Governor, Confirmed
by Senate

3 public members

3 from a list of attorneys provided
by the state bar (for each of the 3,
state bar provides 5 potential names)

**Judicial Ethics Advisory
Committee**

- Established by addendum to
Code of Judicial Conduct
adopted by Supreme Court
- Issues advisory opinions

5 Members:

Judges, no more than 2 from same
court

SOUTH CAROLINA

<http://www.judicial.state.sc.us/brdcomm/brdcjc.cfm>

http://www.sccourts.org/adv_opinion/index.cfm

Commission on Judicial Conduct

- Receives and investigates complaints
- Supreme Court appoints Disciplinary Counsel who is the lawyer in charge of screening the complaints and prosecuting formal charges
- Commission is divided into an investigative and a hearing panel
- Once disciplinary counsel determines that evidence exists to support the complaint, it gives it to the investigative panel
- Investigative panel recommends and authorizes a full investigation if necessary
- If formal charges are filed, hearing panel conducts the hearing; recommends discipline to Supreme Court

19 Members:

Appointed by Supreme Court

11 judges from circuit or family court or master-in-equity
3 judges from magistrate, municipal, or probate courts
3 non-judge active members of state bar
2 public members

Advisory Committee on Standards of Judicial Conduct

- Established by Appellate Court Rule 503
- Issues non-binding advisory opinions
- Can serve as evidence of good faith effort to comply with Code

3 Members:

1 circuit court judge
1 family court judge
1 lawyer

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Advisory Committee on Standards of Judicial Conduct:

List of advisory opinions dating from 1989 – 2006 located at:

http://www.sccourts.org/adv_opinion/index.cfm

States subject matter of opinion.

Can search by year.

SOUTH DAKOTA

http://sdjudicial.com/index.asp?title=judicial_discipline&category=public_info&nav=98

<p>Judicial Qualifications Commission</p> <ul style="list-style-type: none">• Receives and investigates written complaints• Conducts hearings and recommends removal <p>7 Members: 2 judges 3 attorneys</p> <p><u>Appointed by Governor</u> 2 lay citizens</p> <p>Judicial Ethics Committee</p> <ul style="list-style-type: none">• Established by Supreme Court Rule 98-4• Issues formal and informal opinions <p>3 Members: 2 circuit court judges 1 magistrate judge</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Judicial Ethics Committee: Formal opinions published.</p>
---	---	---

TENNESSEE

<http://www.tsc.state.tn.us/geninfo/COJ/COJBroch.htm>

<http://www.tsc.state.tn.us/opinions/ethics/Ethics.htm>

<p>Court of the Judiciary</p> <ul style="list-style-type: none">• Receives written complaints• Imposes sanctions or recommends removal when appropriate• Disciplinary counsel reviews complaint• Investigative panel either reviews for improper dismissal by disciplinary counsel or authorizes investigation• Investigative panel directs disciplinary counsel to file formal charges; then Hearing Panel holds full hearing <p>15 Member Panel Created by General Assembly</p> <p>Tennessee Judicial Ethics Committee</p> <ul style="list-style-type: none">• Established by Supreme Court Rule 9, § 26.6 <p>3 Members:</p> <p>1 judge from court of appeals or court of criminal appeals</p> <p>1 trial judge from each division of state</p> <p>1 general sessions judge licensed to practice law</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge’s activities</p> <p>Canon 3: A judge shall perform the duties of judicial office impartially and diligently</p> <p>Canon 4: A judge shall so conduct the judge’s extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity</p>	<p>Judicial Ethics Committee:</p> <p>Judicial ethics opinions dating from 1997 – 2005 available at: http://www.tsc.state.tn.us/opinions/ethics/Ethics.htm</p> <p>17 opinions for 1997 – 1999. 14 opinions from 2000 – 2005.</p> <p>States summary of opinions. Can view full text by clicking on opinion link.</p>
--	---	---

TEXAS

<http://www.scjc.state.tx.us/>

<http://www.courts.state.tx.us/judethics/judethics-home.asp>

<p>State Commission on Judicial Conduct</p> <ul style="list-style-type: none">• Investigates complaints• Conducts hearings• Disciplines judges• Judge can submit written request for review of commission’s decision with Chief Justice of Supreme Court• Members serve 6-year terms• Citizen members, justice of the peace, and municipal court judge selected at large• TX Senate confirms all commission appointees <p>13 Members: <u>Appointed by Supreme Court</u> 1 appellate court judge 1 district court judge 1 county court at law judge 1 constitutional county court judge 1 justice of the peace 1 municipal court judge</p> <p><u>Appointed by State Bar</u> 2 non-judge attorneys</p> <p><u>Appointed by Governor</u> 5 lay citizens</p> <p>Judicial Section of State Bar Ethics Committee/Committee on Judicial Ethics</p> <ul style="list-style-type: none">• Issues written opinions in response to written questions <p>9 Members: <u>Appointed by Supreme Court</u> 9 judges</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: Upholding the integrity and independence of the judiciary</p> <p>Canon 2: Avoiding impropriety and the appearance of impropriety in all of the judge’s activities</p> <p>Canon 3: Performing the duties of judicial office impartially and diligently</p> <p>Canon 4: Conducting the judge’s extra-judicial activities to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: Refraining from inappropriate political activity</p> <p>Canon 6: Compliance with the Code of Judicial Conduct</p> <p>Canon 7: Effective date of compliance; as soon as reasonably possible to comply</p> <p>Canon 8: Construction and Terminology of the Code</p>	<p>Committee on Judicial Ethics:</p> <p>Lists 300 advisory opinions categorized by number and subject matter. Opinion construes the Code as it existed on the date the opinion was issued.</p>
--	---	---

UTAH

http://www.utahbar.org/uljc/judicial_conduct_commission.html

<http://www.utcourts.gov/resources/ethadv/>

<p>Judicial Conduct Commission</p> <ul style="list-style-type: none">• Executive director reviews written complaints and determines whether to conduct preliminary investigation• Investigator determines if full investigation needed• Commission authorizes full investigation• Commission directs executive director to file formal complaint• Commission conducts hearing• Commission determines appropriate sanctions <p>11 Members: <u>Appointed by Non-judicial Members of Judicial Conduct Commission – 4-year Terms</u> 1 judge and 1 alternate judge</p> <p><u>Appointed by Board of Commissioners of State Bar – 4-year Terms</u> 3 members from the Board of Commissioners</p> <p><u>Appointed by Speaker of the House of Representatives – 2-year Terms</u> 2 members of House of Reps, not more than 1 in same political party as speaker</p> <p><u>Appointed by President of the Senate – 2-year Terms</u> 2 members of Senate, not more than 1 in same political party as president</p> <p><u>Appointed by Governor, Confirmation by Senate – 4-year Terms</u> 3 persons not members of State Bar, not more than 2 in same political party as governor</p> <p>Judicial Ethics Advisory Committee</p> <ul style="list-style-type: none">• Established by Code of Judicial Administration Rules 1-205 and 3-109• Issues advisory opinions <p>6 Members: 1 court of appeals judge 1 district court judge 1 juvenile court judge 1 circuit court judge 1 justice court judge 1 lawyer</p>	<p>Code of Judicial Conduct:</p> <p>Canon 1: A judge shall uphold the integrity and independence of the judiciary</p> <p>Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all activities</p> <p>Canon 3: A judge shall perform the duties of the office impartially and diligently</p> <p>Canon 4: A judge shall so conduct the judge’s extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>Canon 5: A judge or judicial candidate shall refrain from political activity inappropriate to the judicial office</p>	<p>Judicial Ethics Advisory Committee: Opinions available from 1988 – 2004. Categorized by year. States brief summary and rule of opinion.</p>
---	--	---

VERMONT

<http://www.vermontjudiciary.org/Committes/boards/jcbcomplaint.htm>

<http://www.vermontjudiciary.org/Committes/judiciaethics.htm>

Judicial Conduct Board

- Receives and investigates written complaints
- Determines and imposes discipline
- Confidential until formal complaint filed

9 Members:

Appointed by Supreme Court

3 judges

3 lawyers

3 public members

Judicial Ethics Committee

- Established by Administrative Order 35 of the Supreme Court
- Researches and provides independent guidance to judges on issues of compliance with the Code of Judicial Conduct

5 Members :

3 judges

2 other members

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Judicial Ethics Committee:

Lists opinions dating from 1995 – 2004. Indexed by opinion number, issue topic, and citation to canon.

VIRGINIA

<http://www.courts.state.va.us/jirc/main.htm>
<http://www.courts.state.va.us/jirc/opinions.html>

Judicial Inquiry and Review Commission

- Investigates written complaints
- Confidential until formal complaint filed
- Can consider complaint informally or conduct a formal hearing
- Commission can impose private reprimand or probation
- Commission files in Supreme Court for more serious sanctions
- Members serve 4-year terms

7 Members:

Elected by VI General Assembly

- 3 judges
- 2 lawyers
- 2 non-lawyer citizens

Judicial Ethics Advisory Committee

- Established by Supreme Court Order
- Issues advisory opinions

9 Members:

- 5 active or retired judges
- 2 lawyers
- 2 non-lawyers

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge may engage in extra-judicial activities designed to improve the law, the legal system, and the administration of justice, and shall conduct any such extra-judicial activities in a manner that minimizes the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from political activity inappropriate to the judicial office

Canon 6: Judges pro tempore, retired judges, and substitute judges are required to comply with the Canons

Canon 7: Effective date – July 1, 1999.

Judicial Ethics Advisory Committee:

Lists opinions dating from 1999-2004. Indexed by date, subject, canon, and statute. Gives brief summary of opinion. Can click on opinion to view full text.

WASHINGTON

<http://www.cjc.state.wa.us/>

http://www.courts.wa.gov/programs_orgs/pos_ethics/index.cfm

Commission on Judicial Conduct

- Receives and investigates complaints
- Conducts preliminary investigations
- Determines if formal charges are made
- Conducts hearings
- Commission publicly admonishes, reprimands, or censures the judge
- Can recommend suspension or removal to Supreme Court
- Confidential until formal charges are made

11 Members:

Appointed by the Respective Court

- 1 court of appeals judge
- 1 superior court judge
- 1 limited jurisdiction court judge

Appointed by State Bar

- 2 attorneys

Appointed by Governor

- 6 non-attorney citizens

Ethics Advisory Committee

- Established by Supreme Court Rule 10
- Issues advisory opinions

7 Members:

- 1 court of appeals judge
- 2 superior court judges
- 2 courts of limited jurisdiction judges
- 1 lawyer
- administrator of court

Code of Judicial Conduct:

Canon 1: Judges shall uphold the integrity and independence of the judiciary

Canon 2: Judges should avoid impropriety and the appearance of impropriety in all of their activities

Canon 3: Judges shall perform the duties of their office impartially and diligently

Canon 4: A judge may engage in extra-judicial activities to improve the law, the legal system, and the administration of justice

Canon 5: Judges shall regulate their extra-judicial activities to minimize the risk of conflict with their judicial duties

Canon 6: Judges shall regularly file reports of compensation received for quasi-judicial and extra-judicial activities

Canon 7: Judges shall refrain from political activity inappropriate to the judicial office

Ethics Advisory Committee:

Lists opinions dating from 1984 – 2006. Indexed by year and topic. Click on link for full text.

WEST VIRGINIA

<http://www.state.wv.us/wvsca/JIC/cover.htm>

<http://www.state.wv.us/wvsca/JIC/advop.htm>

Judicial Investigation Commission

- Receives and investigates complaints and determines if formal charges are made
- Counsel reviews complaint; refers to examiner for investigation
- If formal discipline required, Commission files formal charges with Clerk of Supreme Court of Appeals to be heard by the West VI Judicial Hearing Board; becomes public
- Commission may issue written non-binding advisory opinions
- Opinion admissible in subsequent disciplinary proceeding, but not binding on Judicial Hearing Board or Supreme Court

9 Members:

3 circuit judges
1 magistrate
1 family law master
1 mental hygiene commissioner, juvenile referee, special commissioner or special master
3 non-lawyers

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

Canon 6: Application of the Code of Judicial Conduct

Judicial Investigation Commission:

Lists advisory opinions dating from 1977 – 2005. Categorized by topic.

WISCONSIN

<http://www.wicourts.gov/about/committees/judicialcommission/index.htm>

http://www.wicourts.gov/supreme/sc_judcond.jsp

<p>Judicial Commission</p> <ul style="list-style-type: none">• Two-tiered system: investigative and adjudicative functions divided• Commission investigates complaints• If probable cause, commission initiates and prosecutes in Supreme Court• Panel of 3 court of appeals judges hear the case and make recommendation to Supreme Court• Supreme Court reviews the panel’s report and determines sanctions or other disposition• Members may serve up to 2 consecutive 3-year terms• Full-time executive director must be member of state bar• Also has a full-time administrative assistant <p>9 Members: <u>Appointed by Supreme Court</u> 1 court of appeals judge 1 circuit court judge 2 attorneys</p> <p><u>Appointed by Governor, Confirmed by Senate</u> 5 non-lawyers</p> <p>Judicial Conduct Advisory Committee</p> <ul style="list-style-type: none">• Established by Supreme Court Order• Issues formal advisory opinions• Renders opinions on contemplated or proposed future conduct in compliance with the Code <p>9 Members: 6 judges 1 lawyer 1 court commissioner 1 non-lawyer</p>	<p>Code of Judicial Conduct:</p> <p>SCR 60.01: Definitions</p> <p>SCR 60.02: A judge shall uphold the integrity and independence of the judiciary</p> <p>SCR 60.03: A judge shall avoid impropriety and the appearance of impropriety in all of the judge’s activities</p> <p>SCR 60.04: A judge shall perform the duties of judicial office impartially</p> <p>SCR 60.05: A judge shall so conduct the judge’s extra-judicial activities as to minimize the risk of conflict with judicial obligations</p> <p>SCR 60.06: A judge or judicial candidate shall refrain from inappropriate political activity</p> <p>SCR 60.07: Applicability</p>	<p>Judicial Conduct Advisory Committee:</p> <p>Lists opinions dating from 1997 – 2005. States questions posed in opinion. Click on link to view full text.</p>
--	--	---

WYOMING

<http://courts.state.wy.us>

Commission on Judicial Conduct and Ethics

- Receives and investigates complaints
- Investigatory panel determines if further investigation necessary and whether to hold formal hearing
- Can exonerate judge
- Can sanction judge privately, but informally
- Recommends formal disciplinary action to Supreme Court
- Members serve staggered 3-year terms

12 Members:

Appointed by the Judicial Council

- 1 circuit court judge
- 2 district court judges

Appointed by Governing Body of State Bar

- 3 attorneys who have practiced in state at least 10 years

Appointed by Governor, Confirmed by Senate

- 6 lay citizens

Code of Judicial Conduct:

Canon 1: A judge shall uphold the integrity and independence of the judiciary

Canon 2: A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities

Canon 3: A judge shall perform the duties of judicial office impartially and diligently

Canon 4: A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

Canon 5: A judge or judicial candidate shall refrain from inappropriate political activity

No ethics advisory committee or opinions