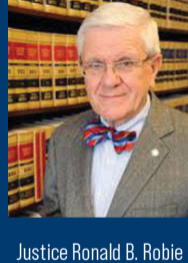




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Justice Ronald B. Robie
Chair



Justice Douglas P. Miller
Vice-Chair

MESSAGE FROM THE COMMITTEE

The California Supreme Court Committee on Judicial Ethics Opinions (CJEO) is pleased to bring you the second edition of *The Source*. Thanks to all who enjoyed our inaugural issue, and welcome to our new readers. This issue celebrates CJEO's 10th anniversary in operation. CJEO has been fortunate that its 10 years have coincided with the tenure of Chief Justice Tani G. Cantil-Sakauye and her Supreme Court leadership. We congratulate her on her 10th anniversary as Chief and thank her for her continued support of CJEO. We hope you enjoy reading more about CJEO's history, implementation, partnerships, and goals for the future in the article, "CJEO Celebrates 10 Years."

As we reflect on this important milestone, we are both proud of what we have achieved and excited about our next chapter. Since its inception, CJEO has aimed to provide the judiciary with helpful guidance on a wide variety of ethical issues through practical, well-reasoned, and thoughtful opinions. Over the past decade, we have laid the groundwork for the committee's operations, developed a robust public comment process for our formal opinions, designed a website that can be used as an interactive research tool, and published over 60 opinions.

Although these are significant accomplishments, more work remains to be done. Judicial ethics is a nuanced and ever-expanding field. Our committee is continually faced with novel questions on topics ranging from justice system reforms to technology. Our challenge is to keep pace with these new and interesting questions, stay at the forefront of the evolution of judicial ethics, and continue to provide advice that is both practical and relevant for the judiciary and the public. Please read on to learn more about our recent work and to preview what's to come.

IN THIS ISSUE

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RECENT OPINIONS

[Independent Investigation of Information Contained in Electronic Court Case Management Systems](#)

[Providing Close Family Members With Advice That Implicates Legal Issues](#)

[Service on the California Access to Justice Commission or Child Welfare Council](#)

[Social Media Posts About the Law, the Legal System, or the Administration of Justice](#)



This year marks CJEO's 10th year in operation. The California Supreme Court, led by Chief Justice Ronald M. George, created CJEO and appointed the original 12 judicial officer members in December 2009. However, because of budget constraints, committee operations did not begin until 2011, when committee counsel was hired and CJEO officially opened its doors.



CJEO members in January 2018

Also in 2011, under the leadership of Chief Justice Cantil-Sakauye, the Supreme Court approved CJEO's internal operating rules and procedures, which carry out the court's delegation of authority to the committee under the California Constitution and California Rules of Court. The internal rules establish the committee's processes for publishing formal, informal, and expedited opinions, and ensure the confidentiality of judicial officers requesting advice to encourage members of the bench to seek opinions from CJEO. The goal is to publish opinions—without outside influence or reference to identifying details—that can act as a framework and be applied to different sets of facts.

Chief Justice Cantil-Sakauye believes that CJEO's independence, transparency, and adaptability are key to its success. "As an independent body, CJEO plays a critical role not only for the bench, but also for the public, in creating a written body of work on judicial ethics that is understandable, accessible, and evolves as new challenges face the courts," stated the Chief Justice. [Read more.](#)



CJEO members deliberate



CJEO members and staff hold a virtual meeting during the COVID-19 pandemic

CJA: A PARTNER IN JUDICIAL ETHICS



California judges are fortunate to have not just one but two sources of judicial ethics advice. While CJEO primarily issues written opinions, the CJA Judicial Ethics Committee provides a critical service by offering an ethics hotline for judges in need of time-sensitive advice on discrete issues. When CJA receives an ethics inquiry, it quickly refers the caller to a Judicial Ethics Committee member, a bench officer with expertise in judicial ethics, to provide oral advice within an approximately 72-hour period. *The Source* recently sat down with Judge B. Tam Nomoto Schumann (Ret.), incoming CJA Judicial Ethics Committee chair, to discuss CJA's process for responding to ethics hotline questions. [Read more.](#)

To speak with a judge on the CJA Judicial Ethics Committee for quick informal responses to questions about the Code of Judicial Ethics, judicial officers and candidates may call:

CJA Judicial Ethics Hotline: 916-239-4068
 Toll free: 866-432-1CJA (1252)
 Email: info@caljudges.org
 Monday–Friday, 9a.m. to 5p.m., excluding holidays
 Please see the CJA [website](#) ethics hotline page for more information.



MEMBER SPOTLIGHT: JUDGE KENNETH K. SO

Judge Kenneth K. So is an Executive Committee member of CJEO, a former presiding judge, and currently a judge on assignment in criminal trials at the Superior Court of San Diego County. Below, he answers questions from Sanna Singer, CJEO Staff Attorney and Editor of *The Source*, about hot topics in judicial ethics.

Q: You were one of the original 12 members appointed to CJEO in 2009. How were you involved in the original ethics prior to that point?

A: My first introduction to judicial ethics, other than reading [the] Judge Rothman [treatise, California Judicial Conduct Handbook (Rothman)] and attending New Judge Orientation and Judicial College, was with the California Judges Association Judicial Ethics Committee. I was a member there for two years, responding to questions that judicial officers had that needed immediate attention.

Q: How has CJEO evolved over the past decade? What has or hasn't changed about CJEO's role or the nature of its opinions?

A: Throughout its existence, CJEO has tried to give the best advice possible for judicial officers. Since the beginning, I think the role has been the same. How the committee responds to requests for opinions may have changed somewhat. Rather than zeroing in on individual questions, the committee has looked at ethics from an increasingly broader view. The committee addresses issues that commonly come up for judicial officers. There is an emphasis on helping both judicial officers and the public understand the rules that judicial officers need to follow. We are trying to provide the method and tools for a judicial officer to work through an ethical issue and, at the same time, allow the public to understand all the factors a judicial officer must consider.

Read the [full interview](#).

DID YOU KNOW?

CJEO's Website has a Searchable Annotated California Code of Judicial Ethics...

CJEO maintains on its [website](#) a searchable [CJEO Annotated California Code of Judicial Ethics](#), which includes citations to and summaries of every formal, informal, and expedited opinion throughout the code. It is a valuable tool for easily and quickly finding consolidated guidance on a particular subject, organized by canon. The annotated code can be used with CJEO's comprehensive [database](#) of opinions, which includes full text opinions in a searchable format. CJEO also maintains a [compendium](#), which includes summaries of opinions grouped by type.

CJEO IN THE NEWS

- [California Judges Can Serve on Outside Groups to Improve Courts—Bloomberg Law News](#)
- [Judges Who Use Social Media Face New Warning From Ethics Committee—The Recorder](#)
- [California Ethics Panel Tells Judges to be Careful Using CMS—Law 360](#)

ABOUT US

CJEO is an independent California Supreme Court committee of 12 judicial officers, appointed by the court, with delegated constitutional authority to issue opinions on judicial ethics. Click [here](#) to learn more about CJEO's history, mission, and our membership.

Thank You to our Readers from our Membership

- Justice Ronald B. Robie (Chair), Court of Appeal, Third Appellate District
- Justice Douglas P. Miller (Vice-Chair), Court of Appeal, Fourth Appellate District, Division Two
- Justice Judith L. Haller, Court of Appeal, Fourth Appellate District, Division One
- Justice Marla J. Miller, Court of Appeal, First Appellate District, Division Two
- Judge Kenneth K. So, Superior Court of San Diego County
- Judge Robert J. Trentacosta, Superior Court of San Diego County
- Assistant Presiding Judge Samantha P. Jessner, Superior Court of Los Angeles County
- Judge George J. Abdallah, Jr., Superior Court of San Joaquin County
- Judge Michael T. Garcia (Ret.), Superior Court of Sacramento County
- Judge Curtis E.A. Karnow, Superior Court of San Francisco County
- Judge Erica R. Yew, Superior Court of Santa Clara County
- Commissioner Belinda A. Handy, Superior Court of Riverside County

Sanna Singer, CJEO Staff Attorney and Editor, *The Source*

Nancy Black, CJEO Committee Counsel

QUESTIONS, SUGGESTIONS?

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