


JUDICIAL STANDARDS UPDATE: FALL 2024

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1. OUTSIDE ACTIVITIES


As judges, you are both elected/appointed officials and members of the communities you serve. As a result, it is generally understood and encouraged that you are involved in leadership opportunities.

- With this being said, please understand your limits:
 - Under the Code - ***“Can I do this?”***
 - Personally - ***“Should I do this?”***

Canon 4 – quasi-judicial

Canon 5 – extra-judicial (volunteer work & outside business ventures)

Canon 7 – political realm




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1. OUTSIDE ACTIVITIES: CAN I DO THIS?

Considerations under the Code:

- Belonging to groups that may **cast doubt on your impartiality** (Canon 3C).
 - Groups that regularly appear before you.
 - Groups that support a particular class of litigants.
 - Engaging in financial/business dealings contrary to the limitations outlined in Canon 5C(1)
- Actively soliciting** for organizations in fundraising activities (Canons 4C, 5B(2), 7B(3)).
- Neglecting your judicial duties** by spending too much time on extracurriculars (Canon 3)
- Practicing law** (Canon 5F)
- Making public statements** about pending cases (Canon 3A(6)) and/or taking stances that may cause your impartiality to be questioned (Canon 3C).
- Misusing the prestige of your office** or otherwise abusing your power (Canon 2B)
- Being listed as an **“officer, director, or manager”** of a business or otherwise **managing the finances** of a non-relative (Canon 5C(2))
- May identify as a member of a political party and attend political events, including fundraisers (Canon 7B(1)), but cannot donate to individual candidates (Canon 7B(3)) or endorse, unless a candidate (Canon 7B(2))



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1. OUTSIDE ACTIVITIES: SHOULD I DO THIS?

As judges, you are going to be asked to serve in many different capacities in your communities.

- You cannot, and likely should not, do them all.
 - *Work, family, other extra-curricular activities, etc.*
- Ultimately, only you know what you can handle.
 - *Be honest with yourself.*
 - *Pick things you are passionate about.*
 - *Decide how important it is for you to be involved & to what degree you wish to be.*
 - *Beware of burnout.*
- Check with us.



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2. ADDRESSING MISCONDUCT

Canon 3B administrative duty to address attorney misconduct, but how?

Who is best suited to handle this? State Bar vs. Judge

- *Considerations:* severity of misconduct, where misconduct occurred, pattern vs. isolated incident, time of response, where you are in addressing case

You have options:

- Private conversation, verbal warning, removal from appointed lists, report to State Bar, contempt/sanctions, initiation of disciplinary proceedings

Call us.



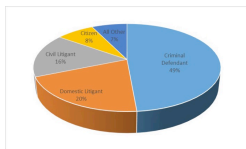
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3. INMATES

Majority of complaints against superior court judges

- Ensure your jurisdiction has a system to handle:
 - MARs
 - General inmate correspondence
 - Orders from the appellate courts – contact info up to date with Clerks' Offices
- Repeat filers



Canons 3A(1), (4), & (5), Canon 3B



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4. REMINDERS FROM RECENT PRESENTATIONS...

Canon 3A(3) - Demeanor

Canon 3C – Recusals

- *Duty to hear cases*
- *Subjective and objective inquiry*
- *Default should be to stay in a case unless there is a reason you can point to that would require your recusal*

Canons 1, 2A, 3A(1) - being faithful to the law; public's confidence in the judiciary

- *Rotate, follow assigned commissions, be present/available*



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Please don't hesitate to contact us!

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