

JUDICIAL STANDARDS UPDATE: SUMMER 2026

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PUBLIC COMMENTS

- As judges, you are both elected/appointed officials and members of the communities you serve. As a result, it is expected that you will be asked to make public comments at some point. Sometimes, you are asked to respond to media inquiries.
- With that being said, please understand your limits:
 - Under the Code – “Can I say this?”
 - Personally – “Should I say this?”
 - Am I the best person to be saying this?



PUBLIC COMMENTS & THE CODE

- Canons 1 & 2A: Duty to abide by the law and at all times promote the public's confidence in the integrity and impartiality of the judiciary.
 - **On and off** of the bench
- Canon 3C: A judge has a personal bias or prejudice concerning a party...
- Canon 3A(6): A judge should abstain from public comment about the merits of a pending proceeding in any state or federal court dealing with a case or controversy arising in NC or addressing NC law...
- Canons 4 & 5: a judge may not engage in extrajudicial or quasi-judicial activities that would cast substantial doubt on the judge's impartiality.
- Canon 7 & [Political Conduct Memo](#)
 - *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002): judicial candidates cannot be absolutely restricted from expressing their views on disputed issues of law or policy.
 - HOWEVER, these comments can cause other issues under the Code (see Canons 1, 2A, and 3C).
 - Canon 3 – judicial responsibilities must at all times be your priority. Frequent disqualification issues?



COMMON SCENARIOS

- Being asked to make public statements about pending cases.
- Being asked to take stances that may cause your impartiality to be questioned and creating frequent disqualification issues for you.
- Media inquiries about recent local events or national news stories.



MEDIA INQUIRIES

- If you receive a media inquiry, please reach out to our office. We can assist you in:
 - Responding in writing to a media inquiry.
 - Reviewing prepared remarks for a speech or television appearance.
 - Ensuring any response you give complies with the Code of Judicial Conduct.
 - Connecting you with AOC media relations staff:
 - Christopher Mears (Christopher.f.Mears@nccourts.org)
 - Graham Wilson (Graham.h.Wilson@nccourts.org)
 - Identifying another court actor or representative to respond to the inquiry.



APPOINTMENTS

- Canon 3B(4): a judge should not make unnecessary appointments. A judge should exercise the judge's power of appointment only on the basis of merit, avoiding nepotism and favoritism. A judge should not approve compensation of appointees beyond the fair value of services rendered. See also N.C. Gen. Stat. § 7A-451.
- Common problems:
 - Judges should avoid appointing lawyers for witnesses, non-parents in AND case unless certain criteria are met, class 3 misdemeanors for defendants without four or more prior convictions, and most guardian ad litem.
 - Judges should not appoint lawyers for those who can afford counsel and should ensure they have defendant execute the affidavit of indigency.
 - Judges must order recoupment of attorneys' fees in appropriate cases, after necessary colloquy with the defendant.



OTHER CURRENT ISSUES

- [FAO 2017-02](#): Tardiness (real or perceived) to court
- Canon 3A(5): Delays
- Canons 2B, 3A(1), (2), and (5): Know your role as a judge
- Canon 3A(3): Demeanor and inappropriate comments
- Canon 3B: See/hear something, say something
- Canon 3C(1)(b): do not preside over a case you were previously the attorney of record on





Please don't hesitate to contact us!

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