



NEWS RELEASE

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Public Comment Sought On Proposed Changes to Code of Judicial Ethics

San Francisco—The California Supreme Court Advisory Committee on the Code of Judicial Ethics today announced that the Supreme Court has authorized the committee to invite public comment on several proposed amendments to the code involving, among other topics, campaign contributions in judicial elections and conduct by candidates for judicial office, including incumbent judges.

The invitation to comment is posted on the California Courts website at <http://www.courts.ca.gov/policyadmin-invitationstocomment.htm>. The deadline for comment is September 1, 2011.

Under the California Constitution, the Supreme Court adopts the California Code of Judicial Ethics, which establishes standards for ethical conduct for state judges on and off the bench and for candidates for judicial office.

The proposed changes are based on the committee's comprehensive review and analysis of the code; the proposals of the California Commission for Impartial Courts (CIC); the Judicial Council's actions on the recommendations of the CIC; and the most recent amendments to the American Bar Association's Model Code of Judicial Conduct. The core tenets underlying the proposals are to promote public confidence in the integrity and impartiality of the judiciary and to provide useful guidance to California's judicial officers and candidates for judicial office.

Most of the recommendations involving campaign-and election-related conduct are consistent with the final report of the CIC (<http://www.courts.ca.gov/cicfinalreport.pdf>) and recent legislative changes. The recommendations focus primarily on disclosures of campaign contributions by trial judges and disqualification of appellate justices based on such contributions. Disqualification of appellate justices is addressed in proposed new canon 3E(5)(j). The disclosure provisions

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contained in proposed canons 3E(2)(b) and (c) address the nature, manner, and timing of those disclosures.

Consistent with the CIC report (but not with the actions of the Judicial Council on this recommendation) and addressed in proposed canon 5B(3), the committee also recommends mandatory education in ethics for candidates for judicial office, including incumbent judges. This amendment and other proposed amendments were developed with the goal of increasing relevant information for the public and ensuring the integrity of the election process.

Other suggested amendments to the code contain important clarifications on subjects such as judges conducting settlement conferences (canon 3B(12)); acceptance by judges of gifts, honoraria, and reimbursements (canon 4D(6)); ex parte communications (canon 3B(7)); and comment by judges on pending cases (canon 3B(9)).

Comments should be sent to Ms. Camilla Kieliger, Administrative Office of the Courts, Office of the General Counsel, 455 Golden Gate Avenue, San Francisco, California 94102.

Members of the Advisory Committee on the Code of Judicial Ethics are Associate Justice Richard D. Fybel of the Court of Appeal, Fourth Appellate District, Division Three (chair); Presiding Justice Barbara J. R. Jones of the Court of Appeal, First Appellate District, Division Five; Associate Justice Laurence D. Rubin of the Court of Appeal, Second Appellate District, Division Eight; Judge Teresa Estrada-Mullaney of the Superior Court of San Luis Obispo County; Judge Ronni B. MacLaren of the Superior Court of Alameda County; Judge David Rothman of the Superior Court of Los Angeles County (Ret.); Judge Brian Walsh of the Superior Court of Santa Clara County; and Ms. Beth J. Jay, Principal Attorney to the Chief Justice of California.

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