

**American Bar Association  
CPR Policy Implementation Committee**

**Comparison of ABA Model Judicial Code and State Variations**

**Terminology**

**The first time any term listed below is used in a Rule in its defined sense, it is followed by an asterisk (\*).**

**“Aggregate,”** in relation to contributions for a candidate, means not only contributions in cash or in kind made directly to a candidate’s campaign committee, but also all contributions made indirectly with the understanding that they will be used to support the election of a candidate or to oppose the election of the candidate’s opponent. See Rules 2.11 and 4.4.

**“Appropriate authority”** means the authority having responsibility for initiation of disciplinary process in connection with the violation to be reported. See Rules 2.14 and 2.15.

**“Contribution”** means both financial and in-kind contributions, such as goods, professional or volunteer services, advertising, and other types of assistance, which, if obtained by the recipient otherwise, would require a financial expenditure. See Rules 2.11, 2.13, 3.7, 4.1, and 4.4.

**“De minimis,”** in the context of interests pertaining to disqualification of a judge, means an insignificant interest that could not raise a reasonable question regarding the judge’s impartiality. See Rule 2.11.

**“Domestic partner”** means a person with whom another person maintains a household and an intimate relationship, other than a person to whom he or she is legally married. See Rules 2.11, 2.13, 3.13, and 3.14.

**“Economic interest”** means ownership of more than a de minimis legal or equitable interest. Except for situations in which the judge participates in the management of such a legal or equitable interest, or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:

- (1) an interest in the individual holdings within a mutual or common investment fund;
- (2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge’s spouse, domestic partner, parent, or child serves as a director, an officer, an advisor, or other participant;
- (3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union, or similar proprietary interests; or
- (4) an interest in the issuer of government securities held by the judge.

See Rules 1.3 and 2.11.

**“Fiduciary”** includes relationships such as executor, administrator, trustee, or guardian. See Rules 2.11, 3.2, and 3.8.

**“Impartial,” “impartiality,”** and **“impartially”** mean absence of bias or prejudice in favor of, or against, particular parties or classes of parties, as well as maintenance of an open mind in considering issues that may come before a judge. See Canons 1, 2, and 4, and Rules 1.2, 2.2, 2.10, 2.11, 2.13, 3.1, 3.12, 3.13, 4.1, and 4.2.

**“Impending matter”** is a matter that is imminent or expected to occur in the near future. See Rules 2.9, 2.10, 3.13, and 4.1.

**“Impropriety”** includes conduct that violates the law, court rules, or provisions of this Code, and conduct that undermines a judge’s independence, integrity, or impartiality. See Canon 1 and Rule 1.2.

**“Independence”** means a judge’s freedom from influence or controls other than those established by law. See Canons 1 and 4, and Rules 1.2, 3.1, 3.12, 3.13, and 4.2.

**“Integrity”** means probity, fairness, honesty, uprightness, and soundness of character. See Canon 1 and Rule 1.2. [*update 7/2010: See also Canon 4 and Rules 3.1, 3.12, and 3.13*]

**“Judicial candidate”** means any person, including a sitting judge, who is seeking selection for or retention in judicial office by election or appointment. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office. See Rules 2.11, 4.1, 4.2, and 4.4.

**“Knowingly,” “knowledge,” “known,”** and **“knows”** mean actual knowledge of the fact in question. A person’s knowledge may be inferred from circumstances. See Rules 2.11, 2.13, 2.15, 2.16, 3.6, and 4.1.

**“Law”** encompasses court rules as well as statutes, constitutional provisions, and decisional law. See Rules 1.1, 2.1, 2.2, 2.6, 2.7, 2.9, 3.1, 3.4, 3.9, 3.12, 3.13, 3.14, 3.15, 4.1, 4.2, 4.4, and 4.5.

**“Member of the candidate’s family”** means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the candidate maintains a close familial relationship.

**“Member of the judge’s family”** means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close familial relationship. See Rules 3.7, 3.8, 3.10, and 3.11.

**“Member of a judge’s family residing in the judge’s household”** means any relative of a judge by blood or marriage, or a person treated by a judge as a member of the judge’s family, who resides in the judge’s household. See Rules 2.11 and 3.13.

	<p><b>“Nonpublic information”</b> means information that is not available to the public. Nonpublic information may include, but is not limited to, information that is sealed by statute or court order or impounded or communicated in camera, and information offered in grand jury proceedings, presentencing reports, dependency cases, or psychiatric reports. See Rule 3.5.</p> <p><b>“Pending matter”</b> is a matter that has commenced. A matter continues to be pending through any appellate process until final disposition. See Rules 2.9, 2.10, 3.13, and 4.1.</p> <p><b>“Personally solicit”</b> means a direct request made by a judge or a judicial candidate for financial support or in-kind services, whether made by letter, telephone, or any other means of communication. See Rule 4.1.</p> <p><b>“Political organization”</b> means a political party or other group sponsored by or affiliated with a political party or candidate, the principal purpose of which is to further the election or appointment of candidates for political office. For purposes of this Code, the term does not include a judicial candidate’s campaign committee created as authorized by Rule 4.4. See Rules 4.1 and 4.2. [<i>update 7/2010: See also Rule 4.3(B)</i>]</p> <p><b>“Public election”</b> includes primary and general elections, partisan elections, nonpartisan elections, and retention elections. See Rules 4.2 and 4.4.</p> <p><b>“Third degree of relationship”</b> includes the following persons: great-grandparent, grandparent, parent, uncle, aunt, brother, sister, child, grandchild, great-grandchild, nephew, and niece. See Rule 2.11.</p> <p>Twenty-four (24) states have similar language (AZ, AR, CT, CO, DE, HI, IN, IA, KS, MD, MN, MO, MS, MT, NE, NV, NH, NY, OH, OK, TN, UT, WA, WY)</p>
<b>AL</b>	
<b>AK</b>	
<b>AZ Effective 9/1/09</b>	<p>Deletes “aggregate” and “member of the candidate’s family”</p> <p>Economic interest: adds “and is further defined, for purposes of compliance with state law, in A.R.S. § 38-502(11)” to end of first sentence</p> <p>Adds: “Judge” means any person who is authorized to perform judicial functions within the Arizona judiciary, including a justice or judge of a court of record, a justice of the peace, magistrate, court commissioner, special master, hearing officer, referee or pro tempore judge.</p> <p>Law: adds “ordinances, regulations” before “statutes”</p> <p>Nonpublic information: deletes “grand jury proceedings, presentencing reports”</p> <p>Public election: adds “recall elections” before “and retention”</p>
<b>AR Effective 7/1/09</b>	<p>Public election: deletes language after first use of “election”</p> <p>Adds: <i>COMMENT</i></p> <p>[1] <i>Regarding the term “judicial candidate,” in Arkansas, there are no retention elections, and selection by appointment arises in limited situations, such as to fill a newly created judgeship or a vacancy.</i></p>
<b>CA</b>	

<p><b>CO (as pro- posed)</b></p>	<p>Deletes: “<i>Appropriate authority</i>”  CA terms: “<i>Candidate for judicial office;</i>” “<i>Gift;</i>” “<i>Law, the legal system, or the administration of justice;</i>” “<i>Registered domestic partner;</i>” “<i>Require;</i>” “<i>Service organization;</i>” “<i>Subordinate judicial officer;</i>” “<i>Temporary Judge</i>”  Same as MC: “<i>Impartial,</i>” “<i>impartiality,</i>” and “<i>impartially;</i>” “<i>Impropriety;</i>” “<i>Independence;</i>” “<i>Integrity;</i>” “<i>Knowingly,</i>” “<i>knowledge,</i>” “<i>known,</i>” and “<i>known;</i>” “<i>Third degree of relationship</i>”  “<i>Impending proceeding;</i>” same as MC “<i>Impending matter</i>”  “<i>Member of the judge’s family;</i>” same as MC, but CA adds “registered” before “domestic partner”  “<i>Member of a judge’s family residing in the judge’s household;</i>” CA specifies that the term includes spouse or registered domestic partner, persons residing in the judge’s household <u>and</u> who are the judge’s relatives, including by marriage, or persons with whom the judge maintains close familial relationship.  “<i>Pending proceeding;</i>” same as MC “<i>Pending matter</i>”</p>
<p><b>CT Effective 1/1/2011</b></p>	<p>Deletes “Aggregate”  Adds: “<i>Confidential</i>” means information that is not available to the public. Confidential information may include, but is not limited to, information that is sealed by statute, rule or court order or lodged with the court or communicated in camera. See Rule 3.5.  “Contribution”: Changes see rules to: Rules 2.11, 3.7, and 4.1  “Domestic partner”: Changes “other than a person to who he or she is legally married” to “other than a spouse”  “Economic interest” (4): Adds “See Rule 3.2”  “Impending matter”: changes “a” to “any”; changes “expected to occur” to “reasonably expects to be commenced”  “Impropriety”: deletes “court rules”  “Integrity”: Adds “see Canon 4 and rules 3.1,3.12,3.13, and 4.2”  Deletes “Judicial Candidate”  “Knowingly,” “knowledge,” “known,” and “knows”: deletes “see rule 2.13”  “Law”: Adds “and this code”; adds “see rule 1.1, 3.2, 3.7, 4.2, and 4.4”  Deletes “Member of the Candidate’s Family”  “Member of the Judge’s Family”: “<i>means any relative of a judge related by consanguinity within the third degree as determined by the common law, a spouse or domestic partner or an individual related to a spouse or domestic partner within the third degree as so determined, including an individual in an adoptive relationship within the third degree. See Rules 3.5, 3.7, 3.8, 3.10, and 3.11</i>”  “Member of a judge’s family residing in the judge’s household”: Replaces “means any relative of a judge by blood or marriage” with “means any member of the judge’s family”  Deletes “Nonpublic Information”  “Personally solicit”: Deletes “see rule 3.7”  “Political organization”: Deletes “For the purposes of this Code, the term does not include a judicial candidate’s campaign committee created as authorized by Rule 4.4.”  “Public election”: Deletes “and retention elections”; changes “See rules 4.2 and 4.4” to “See Rule 4.3”  Adds: “<i>Spouse</i>” means a person to whom one is legally married or joined in a civil union. See Rules 2.11, 3.13, and 3.14.</p>
<p><b>DE Effective</b></p>	<p>Deletes “aggregate,” “appropriate authority,” “de minimis,” “judicial candidate,” “member of the candidate’s family,” “nonpublic information,” “personally solicit”</p>

<p><b>11/1/08</b></p>	<p>Adds: <i>“Compensation” means payment to a judge by another for services rendered but does not include moneys received by a judge from his investments or for services to a family business permitted under Rule 3.11(A) and (B).</i></p> <p><i>“Economic interest” means ownership of a legal or equitable interest however small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that</i></p> <p><i>(i) ownership in a mutual or common investment fund that holds securities is not an “economic interest” in such securities unless the judge participates in the management of the fund;</i></p> <p><i>(ii) an office in an educational, religious, charitable, fraternal, or civic organization is not an “economic interest” in securities held by the organization;</i></p> <p><i>(iii) the proprietary interest of a policyholder in a mutual insurance company, or a depositor in a mutual savings association, or a similar proprietary interest, is an “economic interest” in the organization only if the outcome of the proceeding could substantially affect the value of the interest;</i></p> <p><i>(iv) ownership of government securities is an “economic interest” in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.</i></p> <p><i>“Member of the judge’s family” means persons related to the judge or the judge’s spouse or domestic partner within the third degree of relationship calculated according to the civil law system, and any other relatives with whom the judge or the judge’s spouse or domestic partner maintains a close familial relationship, and the spouse or domestic partner of any of the foregoing.</i></p> <p><i>Political organization: deletes language after first sentence</i></p> <p><i>Third degree of relationship: adds “calculated according to the civil law system” to end of definition heading</i></p>
<p><b>DC (as proposed)</b></p>	<p><b>“Aggregate:”</b> Deleted</p> <p><b>“Contribution:”</b> Replaces reference at the end with “See Rules 3.7 and 4.1.”</p> <p><b>“Integrity:”</b> Deletes reference to Rule 4.2 at the end</p> <p><b>“Judicial candidate:”</b> Deletes “by election or appointment” at the end of the first sentence. Deletes “the election or” before “appointment authority;” Deletes “contributions or” before “support;” Deletes “election or” before “appointment to office;” Replaces reference at the end with: “See Rules 2.11, 4.1, and 4.3.”</p> <p><b>“Law:”</b> Adds reference to Rule 3.6 and deletes reference to Rules 3.15, 4.2, and 4.4 from the list.</p> <p><b>“Personally solicit:”</b> Deleted</p> <p><b>“Political organization:”</b> Replaces the last sentence with: “See Rules 4.1 and 4.3.”</p> <p><b>“Public election:”</b> Deleted</p> <p>Adds <b>“Retired Judge:”</b> <i>means a former judge of the Superior Court or of the Court of Appeals who is no longer performing or eligible to perform judicial duties upon retirement, pursuant to D.C. Code § 11-1504 (a) and (b) (2001). See Application Section B.</i></p> <p>Adds <b>“Senior Judge:”</b> <i>means a former active judge of the Superior Court or of the Court of Appeals who has retired from active service and has been favorably recommended by the Commission on Judicial Disabilities and Tenure and appointed as senior judge by the appropriate chief judge, pursuant to D.C. Code § 11-1504 (a) and (b) (2001). See Application Section C.</i></p>
<p><b>FL</b></p>	
<p><b>HI Effective 1/1/09</b></p>	<p>Deletes “aggregate,” “judicial candidate,” “member of the candidate’s family,” “personally solicit,” “public election”</p> <p>Adds: <i>“Appearance of impropriety” means conduct that reasonable minds, with knowledge of all</i></p>

	<p><i>the relevant circumstances, would perceive as materially impairing the judge’s independence, integrity, impartiality, temperament, or fitness to fulfill the duties of judicial office. See Canon 1 and Rule 1.2.</i></p> <p>Economic interest: adds “or a relationship as officer, director, advisor, or other active participant in the affairs of a party” to end of first sentence and in (3) adds “a policy holder in a mutual insurance company” after “as”</p> <p>Fiduciary: adds “conservator” after “trustee”</p> <p>Impropriety: replaces “undermines” with “materially impairs” and adds “temperament, or fitness to fulfill the duties of judicial office” after “impartiality”</p> <p>Adds: “<i>Judge</i>” See <i>Application section of this Code.</i></p> <p>Adds: “<i>Judicial officer</i>” See <i>Application section of this Code.</i></p> <p>Member of the judge’s family: replaces language between “partner” and “or” with “relative within the third degree of relationship”</p> <p>Member of a judge’s family residing in the judge’s household: deletes language after “any” and before “member”</p> <p>Nonpublic information: adds “by law” after “that” in first sentence</p> <p>Political organization: deletes second sentence</p> <p>Third degree of relationship: adds “related to the judge by blood or marriage” after “persons”</p>
<b>ID</b>	
<b>IL</b>	
<b>IN</b> <b>Effective</b> <b>1/1/09</b>	Deletes “aggregate”
<b>IA</b> <b>Effective</b> <b>5/3/10</b>	<p>Does not have “Aggregate” or “Public election;”</p> <p>Adds:</p> <ul style="list-style-type: none"> <li>• “<b>Affiliate</b>” and “<b>affiliated</b>” means any person, domestic or foreign, that controls*, is controlled* by, or is under common control* with any other person. See rule 51:2.11;</li> <li>• “<b>Associate</b>” and “<b>associated</b>” means any person who employs, is employed by, or is under common employment with another person; any person who acts in cooperation, consultation, or concert with, or at the request of, another person; and any spouse, domestic partner, or person within the third degree of relationship of any of the foregoing. See rule 51:2.11;</li> <li>• “<b>Control</b>” and “<b>controlled</b>” each refers to the power of one person to exercise, directly or indirectly or through one or more persons, a dominating, governing, or controlling influence over another person, whether by contractual relationship (including without limitation a debtor-creditor relationship), by family relationship, by ownership, dominion over, or power to vote any category or voting interest (including without limitation shares of common stock, shares of voting preferred stock, and partnership interests), or by exercising (or wielding the power to exercise) in any manner dominion over a majority of directors, partners, trustees, or other persons performing similar functions. See definition of “affiliate” and “affiliated;”</li> <li>• “<b>Person</b>” means any natural or juridical person, including without limitation any corporation, limited liability company, partnership, trust, union, or other labor organization; any branch, division, department, or local unit of any of the foregoing; any political committee, party, or organization; or any other organization or group of persons. See rule 51:2.11.</li> <li>• “<b>Restricted donor</b>” means</li> </ul>

	<p>(1) <i>a party or other person involved in a case pending before the donee.</i></p> <p>(2) <i>a party or a person seeking to be a party to any sale, purchase, lease or contract involving the judicial branch or any of its offices, if the donee has authority to approve the sale, purchase, lease or contract, or if the donee assists or advises the person with authority to approve the sale, purchase, lease or contract.</i></p> <p>(3) <i>A person who will be directly or substantially affected by the performance or nonperformance of the donee’s official duties in a way that is greater than the effect on the public generally or on a substantial class of persons to which the donor belongs as a member of a profession, occupation, industry or region.</i></p> <p>See rule 51:3.13.</p> <p>Changes:</p> <ul style="list-style-type: none"> <li>• “Contribution:” deletes reference to Rules 2.11 and 2.13;</li> <li>• “Judicial Candidate:” deletes “makes a public announcement of candidacy;” deletes “or” before “authorizes” and deletes “engages in” before “solicitation or acceptance;”</li> <li>• “Knowingly:” deletes reference to Rule 2.13;</li> </ul>
<p><b>KS</b> Effective 3/1/09</p>	<p>Deletes “aggregate”</p> <p>Adds: “Harassment” See Rule 2.3, Comment [3]</p> <p>Adds: “Invidious discrimination” See Rule 3.6, Comment [2]</p> <p>Adds “Judge” See Application section I(B)</p> <p>Knowingly: adds “or constructive” after “actual” in first sentence and “constructive” before “knowledge” in second sentence</p> <p>Adds “Nepotism” See Rule 2.13, Comment [2]</p> <p>Public election: adds “as well as” before “partisan” and “as specifically designated” to end</p> <p>Adds: “Sexual Harassment” See Rule 2.3, Comment [4]. See also Rule 2.3, Comment [3]</p>
<p><b>KY</b></p>	
<p><b>MD</b> Effective 7/1/10</p>	<p>Found in “<b>B. DEFINITIONS</b>” of Maryland Code of Judicial Conduct “<b>GENERAL PROVISIONS, DEFINITIONS, AND PREAMBLE</b>”</p> <p>Does not have text in beginning of section;</p> <p>Does not have “Aggregate;”</p> <p>Does not have “Appropriate Authority;”</p> <p>Does not have “Contribution;”</p> <p>Does not have “De minimis;”</p> <p>Does not have “Economic Interest;”</p> <p>“Fiduciary:” replaces language after “such as” with “administrator, attorney-in-fact by power of attorney, personal representative, and trustee;” keeps reference to Rules;</p> <p>Adds:</p> <p><b><i>B-103 - Gift</i></b></p> <p><i>(a) Except as provided in paragraph (b), “gift” means the transfer of anything of economic value, regardless of form, without adequate and lawful consideration.</i></p> <p><i>(b) “Gift” does not include the solicitation, acceptance, receipt, or regulation of a political contribution that is regulated in accordance with:</i></p> <p><i>(1) the Election Law Article of the Maryland Code; or</i></p> <p><i>(2) any other Maryland law regulating the conduct of elections or the</i></p>

*receipt of political contributions. See Rule 3.13.*

**Source:** *This definition is derived from Code, State Government Article, §15-102 (p).*

“Impartial” et al: Deletes “Canons 1, 2, and 4” and reference to Rules 4.1 and 4.2; adds reference to Rules 4.4 and 4.5;

“Impending matter:” Replaces “is a” before “matter” with “means”; deletes reference to Rule 4.1 and adds reference to Rules 4.4 and 4.5;

Does not have “Impropriety;”

“Independence:” Deletes “Canons 1 and 4” and reference to Rule 4.2; adds reference to Rules 4.4 and 4.5;

Does not have “Integrity;”

Does not have “Judicial candidate;”

“Knowingly” et al: Deletes reference to Rule 4.1 and adds reference to Rules 4.4 and 4.5;

Does not have “Law;”

Combines “Member of the candidate’s family” and “Member of the judge’s family” into “Member of a [judge’s] [candidate’s] family;”

Replaces “Member of a judge’s family residing in the judge’s household” with:

***B-109 - Member of judge’s or candidate’s household***

***“Member of [judge’s] [candidate’s] household” means:***

*(a) if sharing the judge’s or candidate’s legal residence, the judge’s or candidate’s spouse, **domestic partner**, child, ward, financially dependent parent, or other financially dependent relative; or*

*(b) the judge’s or candidate’s spouse, child, ward, parent, or other relative, over whose financial affairs the judge or candidate has legal or actual control. See Rule 3.13.*

**Source:** *This definition is derived from Maryland Code, State Government Article, § [15-102 \(z\)](#).*

Does not have “Nonpublic information;”

“Pending matter:” Deletes reference to Rule 4.1 and adds reference to Rules 4.4 and 4.5;

Does not have “Personally solicit;”

Does not have “Political organization;”

Does not have “Public election;”

Adds:

***B-111 - Significant financial interest***

***(a) “Significant financial interest” means ownership of:***

*(1) an interest as the result of which the owner has received within the past three years, is currently receiving, or in the future is entitled to receive, more than \$1,000 per year;*

*(2) more than 3% of a business entity; or*

*(3) a security of any kind that represents, or is convertible into, more than 3% of a business entity.*

***(b) In applying this definition:***

*(1) ownership of an interest in a mutual or common investment fund that holds a security is not ownership of the security unless:*

*(i) the judge participates in the management of the fund; or*

*(ii) there is before the judge a **pending matter** or an **impending matter** that could substantially affect the value of the interest;*

	<p>(2) ownership of a government security is not a <b>significant financial interest</b> in the issuer unless there is before the judge a <b>pending matter</b> or an <b>impending matter</b> that could substantially affect the value of the security;</p> <p>(3) neither a deposit in a financial institution nor a proprietary interest such as or similar to that of a depositor in a mutual savings association, member of a credit union, or policy holder in a mutual insurance company is a <b>significant financial interest</b> in the entity unless there is before the judge a <b>pending matter</b> or an <b>impending matter</b> that could substantially affect the value of the deposit or interest; and</p> <p>(4) an ownership interest in a security held by a charitable, civic, educational, fraternal, sororal, or religious organization will not be imputed to a judge merely because the judge or the judge’s child, parent, or spouse is an adviser to or director or officer of, or otherwise actively participates in, the organization.</p> <p><b>Source:</b> This definition is derived from the former Maryland Code of Judicial Conduct. “Third Degree of Relationship:” Adds reference to Rule 2.13.</p>
<p><b>MA</b></p>	
<p><b>MI</b></p>	
<p><b>MN Effective 7/1/09</b></p>	<p>“Contribution” means money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, or party unit as defined in Minn. Stat. 10A.01. “Contribution” includes a loan or advance of credit to a political committee, political fund, principal campaign committee, or party unit, if the loan or advance of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the political committee, political fund, principal campaign committee, or party unit to which the loan or advance of credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the loan or advance of credit was made. “Contribution” does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, ballot question, political committee, political fund, principal campaign committee, or party unit, or the publishing or broadcasting of news items or editorial comments by the news media. See Rules 4.1 and 4.4.</p> <p>Deletes “domestic partner”</p> <p>Economic interest: in (2) deletes “domestic partner” and adds “a person with whom the judge has an intimate relationship, or a member of the judge’s household” after “child”</p> <p>Adds “Intimate relationship” means a continuing relationship involving sexual relations as defined in Rule 1.8(j)(1) of the Rules of Professional Conduct.</p> <p>Judicial candidate: deletes “or retention in”</p> <p>Adds “Leader in a political organization” is one who holds an elective, representative, or appointed position in a political organization. See Rule 4.1.</p> <p>Member of the candidate’s family and Member of the judge’s family: deletes “domestic partner”</p> <p>Public election: deletes language after first use of “election”</p>
<p><b>MI (as pro- posed)</b></p>	<p>Does not have first sentence, “The first time...by an asterisk (*);”</p> <ul style="list-style-type: none"> <li>• “Contibution:” Adds as second-to-last sentence: “Contribution does not includes services, food, or beverages as defined by Miss. Code Ann. § 23-15-801(e)(ii);”</li> <li>• “Economic interest: (2) deletes “domestic partner” and “parent” but adds “or member of the judge’s household;”</li> <li>• “Impending matter:” Adds as second sentence: “Matters that could conceivably come before the judge at some indefinite point in the future are not impending;”</li> </ul>

	<ul style="list-style-type: none"> <li>• “Impropropriety:” Changes “includes” to “means;”</li> <li>• “Independence:” Adds to end: “ “Impropropriety” includes conduct that violates the law, court rules, or provisions of this Code, and conduct that undermines a judge’s independence, integrity, or impartiality. See Canon 1 and Rule 1.2;”</li> <li>• “Judicial Candidate:” Deletes “or retention in,” deletes “authorizes...support;”</li> <li>• “Law:” adds reference to Rule 2.7;</li> <li>• “Member of the judge’s family:” Deletes “domestic partner” and adds “household member;”</li> <li>• “Nonpublic information:” Deletes “or impounded...psychiatric reports;”</li> <li>• “Public election:” Deletes “and retention elections”</li> </ul> <p>Does not have:</p> <ul style="list-style-type: none"> <li>• Domestic partner</li> </ul> <p>Adds:</p> <ul style="list-style-type: none"> <li>• “Part-time judge” denotes a judge who serves for an extended, fixed term, but is allowed to practice law or any profession or occupation. The term does not apply to magistrates, court commissioners, special masters, or referees.</li> </ul>
<p style="text-align: center;"><b>MO Effective 1/1/2012</b></p>	<p>Reference to asterisk and asterisks throughout the text are deleted</p> <p>“<b>Aggregate:</b>” Deleted</p> <p>“<b>Appropriate authority:</b>” Replaced by “Appropriate disciplinary authority” with the same definition</p> <p>“<b>Contribution:</b>” Replaces “which” after “and other types of assistance” with “that;” Deletes reference to Rules 2.11, 3.7 and 4.4; Adds reference to Rule 4.2</p> <p>“<b>De minimis:</b>” Replaces “disqualification” with “recusal;” Adds reference to Rule 3.8</p> <p>“<b>Domestic partner:</b>” Deleted</p> <p>“<b>Economic interest:</b>” Deletes reference to “domestic partner;” Deletes reference to the Rules in (4); Adds (5): “ownership or other financial interest in small publicly traded corporations, unless a proceeding pending or impending before the judge could substantially affect the value of the shares. See Rules 2-1.3, 2-2.11, 2-3.2 and 2-3.8.”</p> <p>“<b>Fiduciary:</b>” Supplements listed relationships with “personal representative,” “attorney-in-fact under power of attorney,” and “conservator.”</p> <p>“<b>Impartial,</b>” “<b>impartiality,</b>” and “<b>impartially:</b>” Adds reference to Rules 2.4, 2.6, 2.7, 3.2, 3.4, 3.6; Deletes reference to Rule 4.2</p> <p>“<b>Impending matter:</b>” Adds reference to Rule 3.2; Deletes reference to Rule 4.1</p> <p>“<b>Impropropriety:</b>” Adds reference to Rules 2.7 and 3.13</p> <p>“<b>Independence:</b>” Adds reference to Rules 2.4, 2.7, 2.10, 3.4, 3.6; Deletes reference to Rule 4.2</p> <p>“<b>Integrity:</b>” Adds reference to Rules 2.7, 2.10, 2.16, 3.6; Deletes reference to Rule 4.2</p> <p>“<b>Judicial candidates:</b>” Adds reference to Canon 4; Deletes reference to Rule 4.4</p> <p>“<b>Knowingly,</b>” “<b>knowledge,</b>” “<b>known,</b>” and “<b>knows:</b>” Adds reference to Rules 1.3, 2.5, 3.5 and 4.2; Deletes reference to Rules 2.13 and 4.1</p> <p>“<b>Law:</b>” Adds “ordinances,” “administrative regulations” before “statutes;” Adds reference to Rules 1.3, 2.1, 2.4, 2.8, 2.13, 3.2, 3.6, 3.7, 3.10; Deletes reference to Rules 3.15, 4.4 and 4.5</p> <p>“<b>Member of the candidate’s family:</b>” Deletes “domestic partner” from the list; Adds reference to Rule 4.2</p> <p>“<b>Member of the judge’s family:</b>” Deletes “domestic partner” from the list; Adds reference to Rules 2.11 and 3.5; Deletes reference to Rule 3.7</p>

	<p>“<b>Pending matter:</b>” Adds reference to Rules 2.11 and 3.2; Deletes reference to Rule 4.1</p> <p>“<b>Personally solicit:</b>” Adds “in person” before “by letter;” Deletes reference to Rule 4.1; Adds reference to Rule 4.2</p> <p>Adds: “<b>Political campaign</b>” means election contests between and among candidates for office. See Rule 2-4.1</p> <p>“<b>Political organization:</b>” Deleted</p> <p>“<b>Public election:</b>” Deletes reference to Rule 4.4</p>
<p><b>MT</b> <b>Effective</b> <b>1/1/09</b></p>	<p>Deletes “aggregate,” “member of the candidate’s family”</p> <p>Adds “<i>Courts of limited jurisdiction</i>” means justice courts, justice courts of record, city courts and municipal courts. Where the context allows and for simplicity, the justices of the peace and judges of such courts may be collectively referred to as judges. See Rules 2.9 and 2.10.</p> <p>Adds “<i>Ex parte communication</i>” is any oral communication to a judge concerning a pending or impending matter, outside the presence of all the parties to the proceeding or their attorneys or outside the confines of a duly noticed proceeding, or any written communication received by a judge that is not simultaneously provided to all parties or their attorneys. See Rules 2.9 and 2.10.</p> <p>Adds “<i>Independent candidate</i>” means a candidate for a non-judicial public office who is not a member or representative of a political organization. See Rules 4.1 and 4.2.</p> <p>Nonpublic information: adds “Nonpublic information includes any information regarding rulings or decisions the court is inclined to or intends to make, and any communications shared among judges during the decision-making process” as second sentence</p> <p>Adds “<i>Partisan candidate</i>” means a candidate for public office who seeks election as a member of or representing a political organization. See Rules 4.1 and 4.2.</p>
<p><b>NE</b> <b>Effective</b> <b>1/1/2011</b></p>	<ul style="list-style-type: none"> <li>• “<b>Aggregate:</b>” Deleted</li> <li>• “<b>Appropriate Authority:</b>” Deletes language in first sentence after “means” and replaces with: “the Nebraska Commission on Judicial Qualifications and the Nebraska Supreme Court Counsel for Discipline”</li> <li>• Adds: “<b>Compensation:</b>” for purposes of Rules 3.12, 3.15, and 3.16 means any money or thing of value received, or to be received as a claim on future services, whether in the form of a fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form of recompense then constituting income under the Internal Revenue Code. The income must, however, be for services and does not include income, interest, or dividends received by reason of investment.</li> <li>• “<b>Contribution:</b>” Deletes reference to Rule 2.11 and 2.13 and adds reference to Rule 3.16</li> <li>• “<b>De Minimis:</b>” Deletes clause, “in the context...of a judge”</li> <li>• “<b>Domestic Partner:</b>” Deletes reference to Rule 2.13</li> <li>• “<b>Economic Interest:</b>” In paragraph (4), adds reference to Rule 3.2</li> <li>• “<b>Fiduciary:</b>” Inserts “personal representative, conservator, attorney in fact” before “executor”</li> <li>• Adds “<b>Fourth degree of relationship:</b>” includes the following persons: great-great-grandparent, great-uncle or great-aunt, brother, sister, great-great-grandchild, grand nephew or grand niece, or first cousin. See Rule 2.11.</li> <li>• Adds “<b>Gift:</b>” for purposes of Rules 3.13, 3.15, and 3.16 means a payment, subscription, advance, forbearance, rendering or deposit of money, services, or anything of value, unless consideration of equal or greater value is given therefor. Gift shall not include a commercially reasonable loan made in the ordinary course of business; a gift received from a member of the judge’s family*; a breakfast, luncheon, or dinner, or other refreshments consisting of food and beverage provided for immediate consumption; or the occasional</li> </ul>

	<p><i>provision of transportation within the State of Nebraska.</i></p> <ul style="list-style-type: none"> <li>• <b>“Impartial,” “impartiality,” and “impartially.”</b> Adds “or their representatives” after “classes of parties” and adds reference to Rule 3.7</li> <li>• <b>“Impending matter:”</b> Adds reference to Rule 3.15</li> <li>• <b>“Independence:”</b> Adds reference to Rule 3.7</li> <li>• <b>“Integrity:”</b> Changes “Rule” to plural and adds reference to Rules 3.1, 3.7, 3.12, 3.13, and 4.2</li> <li>• <b>“Knowingly,” “knowledge,” “known,” and “knows:”</b> Deletes reference to Rule 2.13 and adds reference to Rule 3.2</li> <li>• <b>“Law:”</b> deletes “court rules” and adds instead “all court rules adopted by the Nebraska Supreme Court, including the Workplace Harassment Policy and Drug-Free Workplace Policy,” deletes reference to Rule 3.15 and adds reference to Rules 3.2, 3.7, and 4.3</li> <li>• <b>“Member of a judge’s family residing in the judge’s household:”</b> Adds reference to Rule 3.15</li> <li>• <b>“Pending matter:”</b> Adds reference to Rule 3.15</li> <li>• <b>“Personally solicit:”</b> Deletes reference to Rule 3.7</li> <li>• <b>“Public election:”</b> Deleted</li> <li>• <b>“Third degree of relationship:”</b> Deleted</li> </ul>
<p><b>NV Effective 1/19/10</b></p>	<p>Deletes “aggregate”  “Contribution” as used in this Code has the meaning ascribed to it in NRS 294A.007. See Rules 3.7, 4.1, 4.2, and 4.4 and Comment [1].  Judicial candidate: deletes “or appointment” throughout  Adds: <i>COMMENT</i>  <i>[1] NRS 294A.007 defines contribution as follows:</i>  1. <i>“Contribution” means a gift, loan, conveyance, deposit, payment, transfer or distribution of money or of anything of value other than the services of a volunteer, and includes:</i>  (a) <i>The payment by any person, other than a candidate, of compensation for the personal services of another person which are rendered to a:</i>  (1) <i>Candidate;</i>  (2) <i>Person who is not under the direction or control of a candidate or group of candidates or of any person involved in the campaign of the candidate or group who makes an expenditure on behalf of the candidate or group which is not solicited or approved by the candidate or group;</i>  (3) <i>Committee for political action, political party, committee sponsored by a political party or business entity which makes an expenditure on behalf of a candidate or group of candidates; or</i>  (4) <i>Person or group of persons organized formally or informally, including a business entity, who advocates the passage or defeat of a question or group of questions on the ballot, without charge to the candidate, person, committee or political party.</i>  (b) <i>The value of services provided in kind for which money would have otherwise been paid, such as paid polling and resulting data, paid direct mail, paid solicitation by telephone, any paid paraphernalia that was printed or otherwise produced to promote a campaign and the use of paid personnel to assist in a campaign.</i>  2. <i>As used in this section, “volunteer” means a person who does not receive compensation of any kind, directly or indirectly, for the services he provides to a campaign.</i></p>
<p><b>NH Effective 4/1/2011</b></p>	<p>Deletes reference to asterisks; deletes all asterisks throughout the Code.  Deletes references to the Rules cited by MC throughout this Section.</p> <ul style="list-style-type: none"> <li>• <b>“Aggregate:”</b> Deleted</li> <li>• Adds: <b>“Compensation:”</b> <i>denotes remuneration for personal services.</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Adds: “<b>Court personnel:</b>” <i>does not include the lawyers in a proceeding before a judge.</i></li> <li>• “<b>Domestic partner:</b>” Replaces references to the Rules at the end with: “but including parties who have entered into a civil union.”</li> <li>• “<b>Judicial candidate:</b>” Replaces all language after “means any person” with: “who has been nominated for judicial office.”</li> <li>• Adds: “<b>Part time judge:</b>” <i>is a judge who serves on a continuous or periodic basis but is permitted by law to devote time to some other profession or occupation and whose compensation for that reason is less than that of a full time judge.</i></li> <li>• Adds: “<b>Pending matter:</b>” <i>is a matter that has commenced. A matter continues to be pending through any appellate process until final disposition.</i></li> <li>• “<b>Personally solicit:</b>” Deleted</li> <li>• “<b>Political organization:</b>” Deletes the last sentence</li> <li>• “<b>Public election:</b>” Deleted</li> <li>• Adds: “<b>Require:</b>” The rules prescribing that a judge “require” certain conduct of other are, like all of the rules in this Code, rules of reason. The use of the term “require” in that context means a judge is to exercise reasonable direction and control over the conduct of those persons subject to the judge’s direction and control.</li> </ul>
<p><b>NJ</b></p>	
<p><b>NM (as proposed)</b></p>	<p>Deletes reference to asterisks; deletes all asterisks throughout the Code. Replaces references to MC Rules with corresponding NM Rules 21-100 to 21-406 NMRA.</p> <ul style="list-style-type: none"> <li>• “<b>Aggregate:</b>” Replaces reference at the end with: “See Rules 21-211 and 21-404 NMRA.”</li> <li>• Adds: “<b>Appearance of impropriety:</b>” <i>includes conduct that would create in reasonable minds a perception that the judge violated the code of engaged in other conduct that reflects adversely on the judge’s honesty, impartiality, temperament, or fitness to serve as a judge and undermines a judge’s independence, integrity, or impartiality.</i></li> <li>• “<b>Appropriate authority:</b>” Replaces “having authority” with “with authority;” Replaces reference at the end with: “See Rules 21-214 and 21-215 NMRA.”</li> <li>• “<b>Contribution:</b>” Replaces reference at the end with: “See Rules 21-211, 21-213, 21-307, 21-401, and 21-404 NMRA.”</li> <li>• “<b>De minimis:</b>” Spelled as “De Minimus;” Replaces reference at the end with: “See Rule 21-211 NMRA.”</li> <li>• “<b>Domestic partner:</b>” Replaces “other than a person ... legally married” with “without a legally recognized marriage;” Replaces references at the end with: “See Rules 21-211, 21-213, 21-313, and 21-314 NMRA.”</li> <li>• “<b>Economic interest:</b>” Replaces reference at the end with: “See Rules 21-103 and 21-211 NMRA.”</li> <li>• “<b>Fiduciary:</b>” Replaces reference at the end with: “See Rules 21-103 and 21-211 NMRA.”</li> <li>• “<b>Impartial, impartiality, and impartially:</b>” Replaces reference at the end with: “See Canons 1, 2, and 4, and Rules 21-102, 21-202, 21-210, 21-211, 21-213, 21-301, 21-312, 21-313, 21-401, and 21-402 NMRA.”</li> <li>• “<b>Impending matter:</b>” Replaces reference at the end with: “See Rules 21-209, 21-210, 21-313, and 21-401 NMRA.”</li> <li>• “<b>Impropriety:</b>” Adds “reflects adversely on the judge’s honesty, impartiality, temperament, or fitness to serve as a judge and” before “undermines judge’s independence ...” Replaces reference at the end with: “See Canon 1 and Rule 21-102 NMRA.”</li> </ul>

	<ul style="list-style-type: none"> <li>• “<b>Independence:</b>” Replaces reference at the end with: “<i>See</i> Canons 1 and 4, and Rules 21-102, 21-301, 21-312, and 21-402 NMRA.”</li> <li>• “<b>Integrity:</b>” Deletes “honesty;” Replaces reference at the end with: “<i>See</i> Canon 1 and Rule 21-102 NMRA.”</li> <li>• “<b>Judicial candidate:</b>” Adds “no later than twelve (12) months before the next election or” before “as soon as;” Replaces reference at the end with: “<i>See</i> Rules 21-211, 21-401, 21-402, and 21-404 NMRA.”</li> <li>• “<b>Knowingly,</b>” “<b>knowledge,</b>” “<b>known,</b>” and “<b>knows:</b>” Replaces reference at the end with: “<i>See</i> Rules 21-211, 21-213, 21-215, 21-216, 21-306, and 21-401 NMRA.”</li> <li>• “<b>Law:</b>” Replaces reference at the end with: “<i>See</i> Rules 21-101, 21-201, 21-202, 21-206, 21-207, 21-209, 21-301, 21-304, 21-312, 21-313, 21-314, 21-315, 21-401, 21-402, 21-404, and 21-405 NMRA.” Deletes reference to Model Rule 3.9.</li> <li>• “<b>Member of the judge’s family:</b>” Replaces reference at the end with: “<i>See</i> Rules 21-307, 21-308, 21-310, and 21-311 NMRA.”</li> <li>• “<b>Member of the judge’s family residing in the judge’s household:</b>” Replaces reference at the end with: “<i>See</i> Rules 21-211 and 21-313 NMRA.”</li> <li>• “<b>Nonpublic information:</b>” Replaces reference at the end with: “<i>See</i> Rules NMRA.”</li> <li>• “<b>Pending matter:</b>” Replaces reference at the end with: “<i>See</i> Rules 21-209, 21-210, 21-313, 21-401 NMRA.”</li> <li>• “<b>Personally solicit:</b>” Adds reference to Model Rule 4.4 and replaces reference at the end with: “<i>See</i> Rules 21-307, 21-401, and 21-404 NMRA.”</li> <li>• “<b>Political organization:</b>” Replaces reference at the end with Rule 21-404 MNRA and Rules 21-401 and 21-402 NMRA.</li> <li>• “<b>Public election:</b>” Replaces reference at the end with: “<i>See</i> Rules 21-402 and 21-404 NMRA.”</li> <li>• “<b>Third degree or relationship:</b>” Replaces reference at the end with: “<i>See</i> Rule 21-211 NMRA.”</li> </ul>
<p style="text-align: center;">NY (as proposed)</p>	<p>Adds:              (C) “<b>Candidate</b>” – <i>see</i> “<b>Judicial candidate;</b>”</p> <p>Adds after “impartiality:” “<i>See</i> Rule 2.11(A)(2)(b); <i>see</i> also “<b>Economic Interest;</b>”</p> <p>Adds:              (F) “<b>Degree of relationship</b>” is calculated according to the civil law system. That is, where the judge and the party are in the same line of descent, degree is ascertained by ascending or descending from the judge to the party, counting a degree for each person, including the party but excluding the judge. Where the judge and the party are in different lines of descent, degree is ascertained by ascending from the judge to the common ancestor, and descending to the party, counting a degree for each person in both lines, including the common ancestor and the party but excluding the judge. The following persons are relatives within the fourth degree of relationship: great-grandparent, grandparent, parent, uncle, aunt, brother, sister, first cousin, child, grandchild, great-grandchild, nephew or niece. The sixth degree of relationship includes second cousins. <i>See</i> Rules 2.11(A)(2), (3), (C); 2.13(B).</p> <p>(H) “Economic interest:” (2) Adds “cultural” before “fraternal;” adds “or any member of the judge’s family residing in the judge’s household” after “child;”</p> <p>Changes “<b>Impending matter</b>” to:              (K) “<b>Impending matter</b>” or “<b>impending proceeding</b>” is a matter or proceeding that is</p>

	<p><i>reasonably foreseeable but has not yet been commenced. See Rules 2.9, 2.10, 3.13, and 4.1.</i></p> <p>Adds:  <i>(V) “Part-time judge”, including an acting part-time judge, is a judge who serves repeatedly on a part-time basis by election or under a continuing appointment. See Rule 5.1(B).</i></p> <p>“<b>Political Organization:</b>” Similar to Model Code, but broader:  <i>(Y) “Political organization” means a political party, political club or other group, the principal purpose of which is to further the election or appointment of candidates to political office. See Rules 4.1, 4.2.</i></p> <p>Adds:  <i>(AA) “Require.” The rules prescribing that a judge “require” certain conduct of others, like all of the Rules of Judicial Conduct, are rules of reason. The use of the term require in that context means a judge is to exercise reasonable direction and control over the conduct of those persons subject to the judge’s direction and control. See Rules 2.3, 2.10(C), 2.12(A).</i></p> <p>Adds:  <i>(BB) “Window Period” means a period beginning nine months before a primary election, judicial nominating convention, party caucus or other party meeting for nominating candidates for the elective judicial office for which a judge or non-judge is an announced candidate, or for which a committee or other organization has publicly solicited or supported the judge’s or non-judge’s candidacy, and ending, if the judge or non-judge is a candidate in the general election for that office, six months after the general election, or if he or she is not a candidate in the general election, six months after the date of the primary election, convention, caucus or meeting.</i></p>
NC	
ND (as proposed)	<ul style="list-style-type: none"> <li>• Adds: “<b>Duties of judicial office:</b>” <i>includes adjudicative and administrative duties and any other duties prescribed by law.</i></li> <li>• “<b>Law:</b>” Replaces “encompasses” with “includes”</li> <li>• “<b>Political organization:</b>” Replaces “means” with “denotes;” Replaces “the principal purpose” with “a principal purpose;” Replaces “political office” at the end of the first sentence with “legislative or executive office” and Replaces the rest of the text thereafter with:  <i>or to support or oppose the continuation, amendment, repeal, enactment, initiative, or referendum of any constitutional, statutory, or regulatory provisions. “Political organization” does not include the North Dakota Judges Association, the north Dakota Judicial Conference, the State Bar Association of North Dakota, the American Bar Association, or any association or entity composed of active or retired judges or attorneys whose principal purpose is other than to further the election or appointment of candidates for legislative or executive office or to support or oppose the continuation, amendment, repeal, enactment, initiative, or referendum of any constitutional, statutory, or regulatory provision. See Sections [cross-reference reserved].</i></li> </ul> <p><u>COMMENT</u>  <i>Indicators of whether an organization has, as one of its principal purposes, any of the purposes listed above include whether, and the extent to which, the organization practices any of the following activities (which are listed by way of example and not by way of limitation): 1) lobbying, retaining lobbyists or registering as lobbyists for any legislative body; 2)</i></p>

	<p><i>nominating or endorsing any candidates for legislative or executive office; 3) drafting or circulating any petitions for action to be taken in regard to any constitutional, statutory, or regulatory provisions; 4) publicly advocating, through the use of print, electronic, or other mass media, in support of or opposition to the election or appointment of candidates for legislative or executive offices, or for or against the continuation, amendment, repeal, enactment, initiative, or referendum of any constitutional, statutory, or regulatory provision; or 5) frequently being a party in, or appearing or requesting to appear as an amicus curiae in, litigation involving the validity or interpretation, or both, of constitutional, statutory, or regulatory provisions of the State of North Dakota or the United States of America.</i></p> <ul style="list-style-type: none"> <li>• <b>“Public election:”</b> Adds “special” after “includes;” Deletes “partisan elections, nonpartisan elections, and retention elections”</li> </ul>
<p><b>OH Effective 3/1/09</b></p>	<p>Deletes “aggregate,” “member of the candidate’s family,” “member of the judge’s family,” “pending matter,” “personally solicit,” “political organization,” “public election.”</p> <p>“Contribution” - the last sentence refers to Rule 2.11 only.</p> <p>“Economic Interest” - replaces “it does not include” at the end of the paragraph with “economic interest” does not include any of the following:” Adds at the end of (4): “See Rules 1.3, 2.11, and 3.2.”</p> <p>Adds: “<i>Ex parte</i> communication” means a communication, concerning a <i>pending</i> or <i>impending</i> matter, between counsel or an unrepresented party and the court when opposing counsel or an unrepresented party is not present or any other communication made to the judge outside the presence of the parties or their lawyers. See Rule 2.9.</p> <p>“Impartial,” “impartiality,” and “impartially” - Adds references in the last sentence: “See Canons 1 and 2 and Rules 1.2, 2.2, 2.10, 2.11, 2.13, 3.1, 3.7, 3.12, 3.13, and 3.14.”</p> <p>Changes “Impending matter” to: “Impending” references a matter or proceeding that is imminent or expected to occur in the near future. See Rules 2.9, 2.10, and 3.13.</p> <p>“Independence” – changes references in the last sentence to: “See Canon 1 and Rules 1.2, 3.1, 3.7, 3.12, 3.13, and 3.14.”</p> <p>“Judicial candidate” has the same meaning as in Rule 4.6.</p> <p>“Knowingly,” “knowledge,” “known,” and “knows” – changes references at the end to: See Rules 2.11, 2.15, 2.16, 3.5, and 3.6.</p> <p>“Law” - replaces “as well as” with “including this code and the Ohio Rules of Professional Conduct;” Changes references at the end to: “See Rules 1.1, 2.1, 2.2, 2.6, 2.7, 2.9, 3.1, 3.9, 3.12, 3.13, 3.14, 3.15, 4.1, 4.2, 4.4, and 4.5.”</p> <p>Changes “Pending” to: “Pending matter” is a matter that has commenced. A matter continues to be pending through any appellate process until final disposition. See Rules 2.9, 2.10, 3.13, and 4.1.”</p> <p>Adds: “Specialized docket” means a docket or court specifically created by statute or pursuant to the authority of the Rules of Superintendence of the Courts of Ohio to address similar cases and parties. “Specialized docket” includes, but is not limited to, drug courts, mental health courts, domestic violence courts, child support enforcement courts, sex offender courts, OMVI/DUI courts, reentry courts, housing courts, and environmental courts. Courts created in the Ohio Constitution or Revised Code, including appellate courts, common pleas courts and divisions of a common pleas court, municipal courts, and county courts are not, without more, a specialized docket. See Rule 2.9.</p>
<p><b>OK Effective</b></p>	<p>Replaces opening sentence with: “In addition to the definitions found in the section on Terminology a candidate for judicial office should also carefully examine the Ethics Commission</p>

<p>4/15/2011</p>	<p>Rules found in Title 74, Chapter 62, Appendix, Title 257.”</p> <ul style="list-style-type: none"> <li>• “<b>Contribution:</b>” Changes to: “shall have the same meaning as that provided for all elections in Oklahoma by the Rules of the Oklahoma Ethics Commission as amended or revised. See Rules 2.11, 2.13, 3.1, 3.13, 3.7, 4.1, 4.3, and 4.4.”</li> <li>• “<b>De minimis:</b>” Adds reference to Rule 3.8 at the end.</li> <li>• “<b>Domestic partner:</b>” Deleted.</li> <li>• “<b>Economic interest:</b>” (2) Deletes “domestic partner” from the list and adds “or member of the judge’s household” after “child.” Adds reference to Rules 3.2, 3.8, and 3.13 at the end.</li> <li>• “<b>Fiduciary:</b>” Adds “but not limited to” after “includes.”</li> <li>• “<b>Impartial,</b>” “<b>impartiality,</b>” and “<b>impartially:</b>” Adds reference to Rules 2.6, 2.8, 3.6, 3.7 and deletes reference to Rule 3.12 at the end.</li> <li>• “<b>Impending matter:</b>” Adds reference to Rule 3.2 and deletes reference to Rules 2.10, 3.13, and 4.1 at the end.</li> <li>• “<b>Impropriety:</b>” Adds reference to Rules 3.6 and 3.13 at the end.</li> <li>• “<b>Independence:</b>” Adds reference to 2.7, 2.10, 3.2, 3.4, 3.7, 3.14, and 4.1 at the end.</li> <li>• “<b>Integrity:</b>” Adds reference to Canon 4 and Rules 2.7, 2.10, 2.16, 3.1, 3.2, 3.6, 3.7, 3.12, 3.13, 3.14, 4.1, and 4.2.</li> <li>• “<b>Judicial candidate:</b>” Adds before the last sentence: “A Judicial candidate should also examine the definition of a candidate in the Rules of the Ethics Commission, Title 74 Oklahoma Statutes Chapter 62 – Appendix-Title 257: when filing for a judicial office.”</li> <li>• “<b>Knowingly,</b>” “<b>knowledge,</b>” “<b>known,</b>” and “<b>knows:</b>” Adds reference to 1.3, 2.9, 3.2, 3.4 and deletes reference to Rules 2.13 and 3.6 at the end.</li> <li>• “<b>Law:</b>” Adds reference to Rules 2.4, 2.8, 2.11, 2.13, 3.4, 3.7, and 3.10 at the end.</li> <li>• “<b>Member of the candidate’s family:</b>” Deletes “domestic partner” from the list.</li> <li>• “<b>Member of the judge’s family:</b>” deletes “domestic partner” from the list and deletes reference to Rules 3.7 and 3.11.</li> <li>• Adds: “<b>Member of the judge’s household:</b>” <i>means any person residing in the judge’s home on a permanent basis regardless of the relationship of that person to the judge. See Rules 2.11, 2.13, 3.8, and 3.13.</i></li> <li>• Adds: “<b>Member of the lawyer’s household:</b>” <i>means any person residing in he lawyer’s home on a permanent basis regardless of the relationship of that person to the lawyer. See Rule 2.13(B).</i></li> <li>• “<b>Member of a judge’s family residing in the judge’s household:</b>” Deleted.</li> <li>• “<b>Pending matter:</b>” Adds after “final deposition:” “or if court retains jurisdiction of the matter.” Deletes references to Rules 2.10, 3.13, and 4.1 and adds reference to Rule 3.2.</li> <li>• “<b>Personally solicit:</b>” Replaces reference to Rules with Rules 4.1 and 4.3.</li> <li>• “<b>Political organization:</b>” Adds reference to Rule 4.3.</li> <li>• “<b>Public election:</b>” Deletes “partisan elections” from the list.</li> <li>• Adds “<b>Rules of the Ethics Commission:</b>” <i>means the Rules of the Oklahoma Ethics Commission found in Title 74 Oklahoma Statutes Chapter 62 – Appendix – Title 257, Ethics Commission as they are, and as they may be amended or revised. See Rule 3.12.</i></li> <li>• Adds “<b>Specialized Courts:</b>” <i>means the various types of what are often referred to as “problem solving courts” such as drug courts, mental health courts and juvenile courts. See Application I Comment [3], Rule 2.9(A)(4) and Rule 2.9 Comment 4.</i></li> <li>• Adds “<b>Spouse:</b>” means an individual to whom a judge or judicial candidate is married. See Rules 2.11, 2.13, 3.13, and 3.14.</li> </ul>
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	<ul style="list-style-type: none"> <li>• <b>“Third degree of relationship.”</b> Adds reference to Rule 2.13.</li> </ul> <p>* Deletes asterisks throughout the text</p>
<b>OR</b>	
<b>PA</b>	
<b>SD</b>	
<b>TN (as pro- posed)</b>	<p>“Judicial Candidate”: Adds: <i>“Judicial Candidate” includes but is not limited to a “candidate” as defined by Tennessee Code Annotated section 2-10-102(3).</i></p> <p>“Personally Solicit”: Inserts “in person” before “letter”; Adds “including electronic communication” after “communication” to end.</p> <p>“Political Organization”: Adds: <i>“Political Organization” includes but is not limited to an affiliated political campaign committee as defined by Tennessee Code Annotated section 2-10-102(1), a multi-candidate political campaign committee as defined in Tennessee Code Annotated section 2-10-102(9) and a political campaign committee as defined in Tennessee Code Annotated 2-10-102(12).</i></p>
<b>TX</b>	
<b>UT Effective 4/1/10</b>	<p>Changes “the first” to “each;”</p> <p>Aggregate: deletes “campaign,” replaces “election” with “retention,” and deletes language after third use of “candidate”</p> <p>Appropriate authority: adds “the presiding judge and” after “means”</p> <p>Changes “Personally Solicit” to “Directly Solicit”</p> <p>Domestic partner: changes “means a person” to “are persons,” replaces “with whom another person” with “who” and “other than a person to whom he or she is” with “who are not”</p> <p>Fiduciary: adds “personal representative, holder of a power of attorney” after “trustee”</p> <p>Impartial: replaces “maintenance” with “presence” and adds “objective and” before “open”</p> <p>Law: adds “but is not necessarily limited to” after “encompasses” and “ordinances” after “statutes” and replaces “decisional” with “case”</p> <p>Deletes “member of the candidate’s family,” “public election”</p> <p>Nonpublic information: adds “rule” after “statute” and deletes “or impounded”</p> <p>Deletes Public Election</p>
<b>VT</b>	
<b>VA</b>	
<b>WA Effective 1/1/11</b>	<p>Adds:</p> <p><i>“Financial Support” shall mean the total of contributions to the judge’s campaign and independent expenditures in support of the judge’s campaign or against the judge’s opponent as defined by RCW 42.17.020.</i></p> <p><i>“Invidious discrimination” is a classification which is arbitrary, irrational, and not reasonably related to a legitimate purpose. Differing treatment of individuals based upon race, sex, gender, religion, national origin, ethnicity, sexual orientation, age, or other classification protected by law, are situations where invidious discrimination may exist. See Rules 3.1 and 3.6.</i></p> <p><i>“Part-time judge” Part-time judges are judges who serve on a continuing or periodic basis, but are permitted by law to devote time to some other profession or occupation and whose compensation for that reason is less than a full-time judge. A person who serves part-time as a judge on a regular or periodic basis in excess of eleven cases or eleven dockets annually,</i></p>

	<p><i>counted cumulatively without regard to each jurisdiction in which that person serves as a judge, is a part-time judge.</i></p> <p><i>“Personally solicit” excludes reference to Rule 3.7.</i></p> <ul style="list-style-type: none"> <li>• <i>“Pro tempore judge” Without regard to statutory or other definitions of a pro tempore judge, within the meaning of this Code a pro tempore judge is a person who serves only once or at most sporadically under a separate appointment for a case or docket. Pro tempore judges are excused from compliance with certain provisions of this Code because of their infrequent service as judges. A person who serves or expects to serve part-time as a judge on a regular or periodic basis in fewer than twelve cases or twelve dockets annually, counted cumulatively without regard to each jurisdiction in which that person serves as a judge, is a pro tempore judge.</i></li> </ul>
WV	
WI	
<p>WY Effective 7/1/09</p>	<p>Similar to Model Code;</p> <p>Deletes: “Aggregate,” “Member of the candidate’s family;” “Periodic part-time judge;” “Personally solicit,” “Political organization,” “Pro tempore part-time judge,” “Public election,” “Require;”</p> <p>Adds: “<b>Nonjudicial candidate</b>” means any person, including a sitting judge, who is seeking selection for nonjudicial office by election or appointment. A person becomes a candidate for nonjudicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office. See Rule 4.4.”</p>

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