

Release: Immediate
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ABA OPENS PUBLIC HEARINGS

TO EVALUATE MODEL CODE OF JUDICIAL CONDUCT

WASHINGTON, D.C., Nov. 17, 2003 -- The first in a series of public hearings to evaluate the American Bar Association Model Code of Judicial Conduct will convene 10 a.m. to 12:30 p.m., Dec. 5, in Washington, D.C.

The hearing by the ABA Joint Commission on Evaluation of the Model Code of Judicial Conduct will be in the ABA offices at 740 15th St. NW. Future hearings will be held Feb. 6 in San Antonio, during the ABA 2004 Midyear Meeting; June 4 in Naples, Fla., and Aug. 6 in Atlanta. Although the commission hopes to accommodate all appearance requests, it will give preference to witnesses who may not be able to attend hearings in other cities.

The commission was created by ABA President Dennis W. Archer to review the ABA's model ethics code for judges and to recommend revisions for possible adoption in February 2005.

Mark I. Harrison of Phoenix, commission chair, listed six issues already raised for commission review, while noting that other issues are welcome and may be considered:

- Format and organization of the present code;
- How the code should address the concept of "appearance of impropriety";
- Whether the code needs revision to accommodate the increase in self-representation by non-lawyers;
- Judicial speech, particularly during judicial election campaigns;

- The significance, if any, of statements, affiliations or interests of members of a judge's family;
- Whether judges assigned to specific "restorative justice" or "problem-solving" courts, such as drug or family courts, should be permitted to participate in or interact with a wide range of community organizations; and
- Whether it is appropriate and necessary to limit judicial involvement with civic, charitable, educational and other organizations.

The ABA Model Code of Judicial Conduct as it is currently written is available on the ABA's Web site, at http://www.abanet.org/cpr/mcjc/mcjc_home.html. The ABA code is a model, and does not bind judges anywhere in the country except to the extent that it is adopted by the court systems in which they serve.

Individuals or organizations can register to testify by contacting ABA Ethics Counsel George Kuhlman at <mailto:gkuhlman@staff.abanet.org> or at 312/988-5300 no later than Nov. 24. Written submissions are strongly encouraged, whether in lieu of or to supplement oral testimony, and should be sent to Kuhlman by e-mail or hard copy to ABA Center for Professional Responsibility, 541 N. Fairbanks Ct., Chicago, Ill. 60611.

The American Bar Association is the largest voluntary professional membership association in the world. With more than 400,000 members, the ABA provides law school accreditation, continuing legal education, information about the law, programs to assist lawyers and judges in their work, and initiatives to improve the legal system for the public.

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EDITORS NOTE: Credentials to cover the hearing are available to reporters from Nancy Slonim at slonimn@staff.abanet.org or 312/988-6132, or from Robert Snoddy at snoddyr@staff.abanet.org or at 202/662-1093.