PREAMBLE

[1] An independent, fair and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society. Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the Rules contained in this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.

[2] Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.

[3] The Model Code of Judicial Conduct establishes standards for the ethical conduct of judges and judicial candidates. It is not intended as an exhaustive guide for the conduct of judges and judicial candidates, who are governed in their judicial and personal conduct by general ethical standards as well as by the Code. The Code is intended, however, to provide guidance and assist judges in maintaining the highest standards of judicial and personal conduct, and to provide a basis for regulating their conduct through disciplinary agencies.

1990 Code Comparison

The 1990 Preamble has been essentially dissected, with the objective of describing the general purpose and rationale of the Code in the Preamble, and moving to a new “Scope” section the specific explanation of how the Rules are
judges or judicial candidates, who should also adhere to general ethical standards. Instead, the Code is intended to state basic standards to govern the conduct of all judges, to provide guidance to judges and assist them in maintaining the highest standards of judicial and personal conduct, and to provide a basis for regulating their conduct through disciplinary agencies.

**Promote Public Confidence in the Integrity of the Judiciary**

One objective of the Code of Judicial Conduct is to require judges, in their professional and personal lives, to adhere to a high ethical standard that evokes public confidence in the integrity and impartiality of the judiciary. *McDonald v. Ethics Committee*, 3 S.W.3d 740 (Ky. 1999); *In re Justice of Peace Cook*, 906 So.2d 420 (La. 2005) (justice of the peace who fails to attend mandatory training courses cannot be said to be participating in establishing, maintaining, and enforcing, or personally observing, high standards of conduct so that the integrity and independence of the judiciary may be preserved); *In re Williams*, 987 S.W.2d 837 (Tenn. 1998) (“Public confidence in the performance and impartiality of the judiciary is maintained only when judges rigorously adhere to the Code of Conduct. Violations of the Code, if left unaddressed, diminish public confidence and injure the entire judicial system.”); *In re Starcher*, 501 S.E.2d 772 (W. Va. 1998) (“[T]he integrity of the judiciary is of paramount importance.”). See also, *Reedy v. Wright*, 2002 WL 598434 (Va. Cir. Ct. 2002) (“The signal importance of public confidence in the judiciary is noted in the Preamble and in Canons 1 and 2.”). Even though adherence to a code of conduct limits judges’ freedom of action to a degree, the advantages of such limits in encouraging public respect outweigh any disadvantage created by them. *Hayden v. City of Port Townsend*, 622 P.2d 1291 (Wash. Ct. App. 1981). See generally Gregory C. Pingree, *Where Lies the Emperor’s Robe? An Inquiry into the Problem of Judicial Legitimacy*, 86 Or. L. Rev. 1095 (2007).


**Avoid Impropriety and the Appearance of Impropriety**

The Preamble stresses that judges should maintain the dignity of judicial office at all times and avoid impropriety and the appearance of impropriety in both their personal and professional lives. See generally Cynthia Gray, *Avoiding*