

AMERICAN BAR ASSOCIATION
CPR POLICY IMPLEMENTATION COMMITTEE

COMPARISON OF ABA MODEL JUDICIAL CODE AND STATE VARIATIONS

RULE 3.15 Reporting Requirements

- (A) A judge shall publicly report the amount or value of:**
- (1) compensation received for extrajudicial activities as permitted by Rule 3.12;**
 - (2) gifts and other things of value as permitted by Rule 3.13(C), unless the value of such items, alone or in the aggregate with other items received from the same source in the same calendar year, does not exceed \$[insert amount]; and**
 - (3) reimbursement of expenses and waiver of fees or charges permitted by Rule 3.14(A), unless the amount of reimbursement or waiver, alone or in the aggregate with other reimbursements or waivers received from the same source in the same calendar year, does not exceed \$[insert amount].**
- (B) When public reporting is required by paragraph (A), a judge shall report the date, place, and nature of the activity for which the judge received any compensation; the description of any gift, loan, bequest, benefit, or other thing of value accepted; and the source of reimbursement of expenses or waiver or partial waiver of fees or charges.**
- (C) The public report required by paragraph (A) shall be made at least annually, except that for reimbursement of expenses and waiver or partial waiver of fees or charges, the report shall be made within thirty days following the conclusion of the event or program.**
- (D) Reports made in compliance with this Rule shall be filed as public documents in the office of the clerk of the court on which the judge serves or other office designated by law,* and, when technically feasible, posted by the court or office personnel on the court’s website.**

Eight (8) states have similar language (CO, HI, IN, MN, MS, NV, NY, WY)
 Eleven (11) states have different language (AZ, AR, DE, KS, MO, NE, NH, OH, OK, TN, WA)
 Four (4) states do not have (IA, MD, MT, UT)

AL

AK

**AZ
Effective
9/1/09**

Title: adds “Financial” to beginning
(A): A judge shall file annually the financial disclosure statement required by A.R.S. § 38-542 or other applicable law. The completion and filing of the annual financial disclosure statement fulfills the reporting requirements set forth in this code.
 Deletes Model Code (B) and (C)
 (B): similar to Model Code (D) but deletes language between “office” and “designated” and language after “law”
 Adds Comment: *1. The information required to be reported by Rules 3.12, 3.13, and 3.14 is a portion of the information that must be included on the annual financial disclosure statement mandated by A.R.S. § 38-542 or other applicable law. A judge is obligated to disclose fully and*

	<p><i>accurately all information requested on the annual disclosure statement and does not fulfill the statutory obligation by reporting only the information required by Rules 3.12, 3.13, and 3.14. Applicable law requires sufficient disclosure of the financial interests of and gifts to a judge and members of his or her household to promote judicial accountability and integrity.</i></p> <p><i>2. To avoid needless repetition of disclosure requirements, the Arizona judiciary deems compliance with the substantive legal requirement as sufficient to meet the ethical obligations of a judge and thus incorporates them in this code.</i></p> <p><i>3. Reimbursement of expenses from a judge’s employer need not be reported under Rule 3.14(C) or Rule 3.15.</i></p>
<p>AR Effective 7/1/09</p>	<p>(A)(2): deletes language after 3.13(C) (A)(3): deletes language after 3.14(A) (B) <i>The scope of reporting, the time for reporting, the manner of reporting, and other issues shall be as determined by state law.</i> Deletes (C) and (D)</p>
<p>CA</p>	
<p>CO Effective 7/1/10</p>	<p>(C) <i>The public report required by paragraph (A)(1) shall be made at least annually. Public reports required by paragraph (A)(2) and (3) shall be made quarterly.</i></p> <p>(D) <i>Deletes “...and, when technically feasible...” to end.</i></p> <p>(E) <i>Full time magistrates shall file reports required by paragraph A in the office of the clerk of the court on which the magistrate serves annually on or before January 15.</i></p> <p>Adds Comment: [1]: <i>In Colorado, judges’ public reporting requirements are governed both by this Code and by statute. See § 24-6-202 and -203 C.R.S.</i> [2]: <i>Pursuant to section 24-6-202, all judges are required to file an annual disclosure with the secretary of state.</i> [3]: <i>Pursuant to section 24-6-203, judges are required to file quarterly disclosures reporting gifts, loans, tickets to events, and reimbursement for travel and lodging expenses.</i></p> <p>[a] <i>Money, including a loan, pledge, or advance of money or a guarantee of a loan of money with a value of \$25 or more must be reported. § 24-6-203(3)(a), C.R.S.</i> [b] <i>Any gift or item of real or personal property, other than money, with a value of \$50 or more must be reported. § 24-6-203(b).</i> [c] <i>Any loan of any item of real or personal property, other than money, if the value of the loan is \$50 or more. § 24-6-203(3)(c).</i> [d] <i>Waiver or partial waiver of the cost of attending CLEs or other educational conferences or seminars is included within the statutory requirement that judges report tickets to sporting, recreational, educational, or cultural events with a value of \$50 or more, or a series of tickets with a value of \$100 or more. § 24-6-203(3)(e), C.R.S.</i> [e] <i>Payment of or reimbursement for actual and necessary expenditures for travel and lodging at a convention or meeting at which the judge is scheduled to participate must be reported unless the payment or reimbursement is made from public funds, a joint governmental agency, an association of judges, or the judicial branch. § 24-6-203(3)(f), C.R.S.</i> [f] <i>The disclosure reports filed with the secretary of state’s office may be posted electronically on its website when technically feasible.</i></p>
<p>CT Effective 1/1/11</p>	<p>(A)(2) and (3) Amount is \$250; (D) Replaces language after “in the office” with: “of the Chief Court Administrator or other office designated by law;”</p>

<p>DE Effective 11/1/08</p>	<p>(A): A judge should regularly file reports of compensation received for law-related and extra-judicial activities, as required by the Supreme Court. (B): A judge should make financial disclosures as required by the Supreme Court. Deletes (C) and (D)</p>
<p>DC (as proposed)</p>	<p>Replaces text with: <i>A judge shall comply with the requirements of D.C. Code §11-1530 (2001) and the rules of the District of Columbia Commission on Judicial Disabilities and Tenure in reporting the amount and value of compensation received as permitted by Rule 3.12; gifts, loans, bequests, benefits, and other items of value received as permitted by Rule 3.13; and reimbursement and waivers or partial waivers of fees received as permitted by Rule 3.14.</i></p>
<p>FL</p>	
<p>HI Effective 1/1/09</p>	<p>(A)(1): adds “of \$1000 or more” after “compensation” (A)(2): deletes language after 3.13(C) Deletes (A)(3) (B): deletes language after “accepted” (C): deletes “at least” and language after “annually” (D): replaces language after “documents” with “in the supreme court clerk’s office”</p>
<p>ID</p>	
<p>IL</p>	
<p>IN Effective 1/1/09</p>	<p>Title: adds “Financial” to beginning (A)(1): replaces “as” with “whether or not” (A)(2) and (3): limit is \$150 (C): deletes “at least” and replaces language after annually with “on the Statement of Economic Interests” Deletes (D) Adds Comment: <i>[1] Compensation from the performance of marriage ceremonies or from a prior law practice may be reported in lump sums and need not include the identities of individual payors or clients.</i></p>
<p>IA Effective 5/3/10</p>	<p>Does not have.</p>

**KS
Effective
3/1/09**

(A): deletes language after “report”

(A)(1): adds “and compensation received by the judge’s spouse or domestic partner. Reportable compensation means income received for the personal services of the judge in an amount in excess of \$500 from any single payor and or in excess of \$3,000 from all payors during the reporting period; income received for the personal services of the judge’s spouse or domestic partner in an amount in excess of \$3,000 from a single source during the reporting period; and income derived from business; royalties, including ownership of mineral rights; annuities, life insurance and contract payments” to end

Adds (A)(2): *fees and commissions. A judge shall report each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions the judge, the judge’s spouse, or the judge’s domestic partner received an aggregate in excess of \$3,000 during the reporting period. The phrase “client or customer” relates only to businesses or combination of businesses. The term “business” means any corporation, association, partnership, proprietorship, trust, joint venture, or a governmental agency unit, or a governmental subdivision, and every other business interest, including ownership or use of land for income. The term “combination of businesses” means any two or more businesses owned or controlled directly by the same interest. The term “other business interest” means any endeavor which produces income, including appraisals, consulting, authorships, inventing or the sale of goods and services.*

(A)(3): *ownership interests. A judge shall report any corporation, partnership, proprietorship, trust, retirement plan, joint venture, and every other business interest, including land used for income, in which either the judge, the judge’s spouse or domestic partner, dependent children, or dependent step children have owned a legal or equitable interest exceeding \$5,000 during the reporting period.*

(A)(4): same as Model Code (A)(2) and sets limit at \$200

(A)(5): similar to Model Code (A)(3) but sets limit at \$200 and adds “Expense reimbursement limited to the actual accost of travel, food, and lodging reasonably incurred by the judge and, where appropriate to the occasion, by the judge’s spouse or domestic partner should be reported as a gift. Any payment in excess of such an amount is to be reported as compensation” to end

Adds (A)(6): *positions. A judge shall report any business, organization, labor organization, educational or other institution or entity in which the judge now holds or has held a position of officer, director, associate, partner, proprietor, trustee, guardian, custodian, or similar fiduciary, representative, employee, or consultant at the time of filing this report or during the reporting period.*

(A)(7): *liabilities. A judge shall report all of the judge’s, the judge’s spouse’s or domestic partner’s, dependent children’s, and dependent step children’s liabilities to any creditor which exceeded \$10,000 at any time during the reporting period except for any liability owed to a spouse, parent, brother, sister, or child; any mortgage secured by real property which is a personal residence of the judge or the judge’s spouse or domestic partner; any loan secured by a personal motor vehicle, household furniture or appliances that does not exceed the purchase price of the item securing the liability; student loans or loans from a lending institution in its regular course of business on the same terms generally available to persons who are not judges; any revolving charge account, the balance of which did not exceed \$10,000 at the close of the reporting period; and political campaign funds.*

(B): *A judge shall report annually the information listed above in (A)(1) through (7) on a form provided by the Commission on Judicial Qualifications. The judge’s report for the preceding*

	<p><i>calendar year shall be filed as a public document in the office of the clerk of the Appellate Courts on or before April 15 of each year.</i></p> <p>Deletes (C) and (D)</p>
KY	
MD Effective 7/1/10	<p>Does not have.</p> <p>Replaces text with:</p> <p><i>A judge must accurately complete and timely file an annual Statement of Financial Interests on the form and as otherwise prescribed by the Court of Appeals pursuant to Md. Rule 16-815. Source: This Rule is derived from Md. Rule 16-815.</i></p>
MA	
MI	
MN Effective 7/1/09	<p>(A)(2): replaces language after “value” with “for which reporting is required by Rule 3.13(C)”</p> <p>Deletes (A)(3)</p> <p>(B): deletes language after “accepted”</p> <p>(C): deletes “at least” and language after “annually”</p> <p>(D): replaces language after “filed” with “annually on or before the first day of May as public documents in the office of the State Court Administrator”</p> <p>Adds (E): <i>Income from investments, including real or personal property, pension plans, deferred compensation plans, and other lawful sources where the judge does not render current or future service in exchange for the income is not extra-judicial compensation to the judge.</i></p>
MO Effective 1/1/2012	<p>Replaces text with:</p> <p><i>A judge shall comply with the public reporting requirements of section 105.485, RSMo.</i></p>
MS (as proposed)	<p>(A)(2) and (3): Amount of money is \$500;</p> <p>(D) Changes “on the court’s website” to “on the Mississippi Supreme Court website” and adds to end: “or any other location as the Supreme Court shall direct.”</p>
MT Effective 1/1/09	Deletes
NE Effective 1/1/2011	<p>(A) Adds to end: “the following, unless, with respect to subparagraphs (1), (2), and (3) below, the amount or value of such items, alone or in the aggregate with other items received from the same source in the same calendar year, does not exceed \$100 in the case of compensation, a gift, bequest, benefit, or other thing of value or does not exceed \$1000 in the case of a loan;”</p> <p>(A)(2) Deletes language after “Rule 3.13(C);”</p> <p>(A)(3) Deletes language after “Rule 3.14(A);”</p> <p>Adds (A)(4):</p> <p><i>(4) regardless of amount, compensation, fees, honorariums, gratuities, gifts, or contributions received pursuant to Rule 3.16.</i></p> <p>Adds new (B):</p> <p>(B) <i>A judge shall publicly report information relating to:</i></p> <p><i>(1) real property in the judge’s name or in which the judge has a direct ownership interest, except real estate valued at less than \$1,000 and the judge’s personal residence (“personal residence” refers to the judge’s principal dwelling-house and adjacent land used for household purposes, such as lawns and gardens.);</i></p> <p><i>(2) other financial interests and property held during the reporting period with a fair market value of \$1,000 or more, except household goods, personal automobiles, and other</i></p>

	<p><i>tangible personal property unless such property was held primarily for sale or exchange;</i> <i>(3) creditors to whom \$1,000 or greater was owed or guaranteed by the judge or a member of the judge’s family residing in the judge’s household,* except:</i> <i>(a) loans from a member of the judge’s family*;</i> <i>(b) land contracts which have been recorded with the County Clerk or Register of Deeds; and</i> <i>(c) accounts payable, debts arising out of retail installment transactions, and loans from lending institutions in their regular course of business, if such accounts, debts, and loans are made available on the same terms to similarly situated persons who are not judges.</i></p> <p>(C) is the same as Model Code (B); (D) is similar to Model Code (C) but changes “paragraphs” to plural, adds “and (B)” after “paragraphs (A),” deletes language after “annually” and adds instead: “on the Judicial Financial Interest Statement at Appendix C herein;” (E) is similar to Model Code (D) but changes to and capitalizes “Office of the Clerk of the Supreme Court,” deletes language after “Supreme Court” and adds instead: “no later than May 1 of each year;” Adds (F): <i>(F) For purposes of this Rule, “compensation” 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.</i> Adds to end of Rule: <i>NOTE: THE NEBRASKA SUPREME COURT HAS ADOPTED AS PART OF THIS CODE A —JUDICIAL FINANCIAL INTEREST STATEMENT, AS SET FORTH AT APPENDIX C HEREIN, WHICH SHALL BE USED FOR REPORTING PURPOSES.</i></p>
<p>NV Effective 1/19/10</p>	<p>Amount given is \$200 (C): deletes language after “annually” (D): deletes language after “documents”</p>
<p>NH Effective 4/1/2011</p>	<p>NH Rule: (A) <i>For each calendar year up to and including calendar year 2006, a judge shall report on or before April 15 of each year, with respect to the preceding calendar year, whether or not the judge has received any compensation other than judicial salary, and, if so, the nature of the activity for which the compensation was received, the name of the payor and the amount of the compensation so received. The report shall be filed as a public document in the office of the clerk of the New Hampshire Supreme Court.</i> (B) <i>For calendar year 2007, and each calendar year thereafter, a judge shall file a fully-completed New Hampshire Judicial Branch Financial Disclosure Statement on or before April 15 of each year, with respect to the preceding calendar year. The New Hampshire Judicial Branch Financial Disclosure Statement shall be filed as a public document in the office of the clerk of the New Hampshire Supreme Court. The form of the New Hampshire Judicial Branch Financial Disclosure Statement shall be approved, by order, by the New Hampshire Supreme Court, and shall require at a minimum that a judge report whether or not the judge has received any compensation other than judicial salary, and, if so, the</i></p>

	<p><i>nature of the activity for which the compensation was received. Blank forms may be obtained by request from the clerk of the New Hampshire Supreme Court, and shall also be available on the New Hampshire Judicial Branch website.</i></p> <p style="text-align: center;"><u>Comment</u></p> <p><i>[1] Disclosure of a judge’s income, debts, investments or other assets is required only to the extent provided in this Canon and in Rule 2.11, or as otherwise required by law.</i></p>
NJ	
NM (as proposed)	<p>(A)(1) Replaces reference with corresponding Rule 21-312 NMRA</p> <p>(A)(2) Deleted</p> <p>MC (A)(3) is the same as NM (A)(2), with the amount of reimbursement or waiver not exceeding \$500,00.</p> <p>(C) Deletes all language after “shall be made as least annually”</p>
NY (as proposed)	<p>(A)(2) and (3): Amount is \$500;</p> <p>(C) Adds to end: “The report shall be filed as a public document in the office of the clerk of the court on which the judge serves or other office designated by law;”</p> <p>Adds:</p> <p style="padding-left: 40px;"><i>(E) Financial disclosure. Disclosure of a judge’s income, debts, investments or other assets is required only to the extent provided in this section and in section 2.11 (C) of this Part, or as required by Part 40 of the Rules of the Chief Judge (22 NYCRR Part 40), or as otherwise required by law;</i></p> <p>Adds Comment:</p> <p style="padding-left: 40px;"><i>Rule 3.15 requires the judge to report all compensation the judge received for activities outside judicial office. Rule 3.12. In certain instances, the judge is also required to disclose the acceptance of gifts and other things of value, Rule 3.13(C), and reimbursement of expenses and waivers of fees or charges. Rule 3.14(A). A judge has the rights of any other citizen, including the right to privacy of the judge’s financial affairs, except to the extent that limitations established by law are required to safeguard the proper performance of the judge’s duties.</i></p>
NC	
ND (as proposed)	<p>(A)(1) Adds “of \$500 or more” after “compensation;” Adds “alone or in the aggregate from the same source in the same calendar year” after “received”</p> <p>(A)(2) Replaces “Rule 3.13(C)” with “Rule 3.13(A)(9)-(11);” Specifies the amount of \$250 at the end</p> <p>(A)(3): Deleted</p> <p>(B) Replaces “reimbursement of expenses or waiver or partial waiver of fees or charges” with “compensation or gifts and other things of value”</p> <p>(C) Deletes all language after “shall be made at least annually”</p> <p>(D) Adds “supreme” before “the court” and deletes all language thereafter</p>

<p>OH Effective 3/1/09</p>	<p>(A): A judge shall file annually the disclosure statement required by R.C. 102.02 with the secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio. The completion and filing of the annual disclosure statement fulfills the reporting requirements set forth in Rules 3.12, 3.13, and 3.14. Deletes (B) – (D) Adds Comment: <i>[1] The information required to be reported by Rules 3.12, 3.13, and 3.14 is a portion of the information that must be included on the annual financial disclosure statement mandated by R.C. 102.02. A judge is obligated to disclose fully and accurately all information requested on the annual disclosure statement and does not fulfill the statutory obligation by reporting only the information required by Rules 3.12, 3.13, and 3.14.</i> <i>[2] Previously, judges were required to report extrajudicial income and gifts on both the statutorily mandated form and on a quasi-judicial or extrajudicial activity compensation report that was required to be filed with the Board of Commissioners on Grievances and Discipline. Rule 3.15 simplifies the reporting requirements by allowing judges to complete a single form to satisfy the reporting requirements of this Code and the Revised Code.</i></p>
<p>OK Effective 4/15/2011</p>	<p>OK Rule: <i>A judge shall report the amount or value of compensation or other things of value as required by the Rules of the Ethics Commission or pursuant to applicable law.</i></p>
<p>OR</p>	
<p>PA</p>	
<p>SD</p>	
<p>TN (as pro- posed)</p>	<p>(A)(2): amount is \$250 Deletes (A)(3) (B): Deletes “and the source of reimbursement of expenses or waiver or partial waiver of fees or charges.” (C): Deletes “except that for reimbursement of expenses and waiver or partial waiver of fees or charges, the report shall be made within thirty days following the conclusion of the event or program.” (D): Replaces “or other office designated by law” with “and in the Administrative Office of the Courts”; Adds “and on the website of the Administrative Office of the Courts” after “court’s website” Adds Comment [1]: <i>Judges should be mindful that other reporting requirements may be applicable, such as those required with regard to election campaigns. See Comment [8] to Rule 4.2.</i></p>
<p>TX</p>	
<p>UT Effective 4/1/10</p>	<p>Deletes</p>
<p>VT</p>	
<p>VA</p>	
<p>WA Effective 1/1/11</p>	<p>State Code replaces entire text of rule with: “A judge shall make such financial disclosures as required by law.”</p>
<p>WV</p>	
<p>WI</p>	

As of September 6, 2011

WY Effective 7/1/09	(A)(2): amount is \$250; (A)(3): amount is \$1,000; (D): deletes language after "law."
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