

MEMORANDUM

To: Individuals and Entities Interested in Judicial Ethics
From: Mark I. Harrison, Chair, ABA Joint Commission to Evaluate the Model Code of Judicial Conduct
Date: May 27, 2005
RE: Posting of Fifth Draft Proposals for Public Consideration and Comment

The American Bar Association Joint Commission to Evaluate the Model Code of Judicial Conduct hereby posts to its website, <http://abanet.org/judicialethics> a fifth installment of proposed revisions to the ABA Model Code of Judicial Conduct. The draft contains a proposed reformulation of the black letter rules of Canon 5, this time accompanied by explanatory and illustrative Comment. (The Commission posted an earlier draft of Canon 5 on January 28, 2005, with no accompanying Comment. The version posted today supplants that posting in its entirety, i.e., including the black-letter Rules, which have been reorganized and modified since the earlier posting.)

In drafting the proposed revisions that are being posted today, the Joint Commission once again relies upon the information it has gained from an ongoing series of public hearings that have been held in conjunction with its frequent meetings, upon written comments that have been submitted to it, and upon the research being conducted by the Joint Commission's Reporters and Counsel. The draft provisions circulated here represent only the current thinking of the members of the Joint Commission and its advisors; the current draft will be reconsidered following receipt of public comment.

The Joint Commission welcomes comments and questions regarding the substantive provisions in this fifth draft of material. Comments should be directed to Debra D. Taylor at DebraTaylor@staff.abanet.org or to her via mail at American Bar Association, Center for Professional Responsibility, 321 North Clark St., Chicago, IL 60610. If you believe that changes should be made in the proposed language, please provide specific language to the Joint Commission.

The Joint Commission appreciates the interest you have demonstrated in monitoring – and we hope commenting upon – this ongoing project. We will carefully consider your comments and specific proposals.