

**Canon 4C(3)(b) [Rule 4.04]
Civic or Charitable Activities
Judge Susan Calkins
Maine Supreme Judicial Court Liaison to Maine Judicial Ethics Committee
January 14, 2004**

Judge Calkins brings to the Commission's attention an amendment of the Maine Judicial Code's Canon 4(C)(3)(b) requested by the Maine Judicial Ethics Committee. As background, Judge Calkins notes that Maine is a rural state with a relatively small judiciary that is appointed.

While Judge Calkins observes that the reasons behind the fund-raising prohibition in Canon 4C(3)(b) of the Model Code of Judicial Conduct and its comment, as adopted by Maine, are substantial and laudatory, they have the unintended consequence of further isolating judges who are already too isolated. Judge Calkins offers real-life examples that have given the Maine Judicial Ethics Committee concern about whether the benefits to be gained from judges being a vital part of their communities is outweighed by the dangers of fundraising.

The Maine Judicial Ethics Committee's proposed amendments to the Maine Code are in response to requests from judges who find that the fund-raising requirements have hampered their abilities to be fully involved with organizations that bear a direct relationship to the judge's role in the courtroom.

The Maine Judicial Ethics Committee's proposed amendments to Canon 4 would have the effect of allowing organizations, who have a judge as an officer and the judge's name on the letterhead, to send fund-raising letters without changing the letterhead – as long as the judge is not identified as a judge. They would also allow a judge to be a speaker or guest of honor at a fund-raising event and participate in a "cheerleader" role for a charitable organization's fund-raising efforts.