

The following is a message from Judge James Glazebrook:

-----

Dear Judge McKeown,

Thank you for your invitation to comment on the most recent version of the Model Code of Judicial Conduct. As you know, I have already raised these comments regarding Rule 4.13 (Reimbursement or Waiver of Charges for Travel-Related Expenses) in person at our last meeting, but I would appreciate your placing them before the Commission before finalizing the informational report to the House of Delegates.

As revised, Rule 4.13 limits reimbursement to necessary travel and lodging. Comment 2 requires judges to discover and to consider a number of factors before attending expense-paid educational seminars, including the source of funding. The Comment also incorporates Opinion No. 67 of the Code of Conduct Committee of the Judicial Conference.

What effect will this rule have on federal judges who seek reimbursement from the ABA for travel, lodging, and meals in connection with the work of the National Conference of Federal Trial Judges and the National Conference of Appellate Judges? For example, will it be unethical for federal (and state) judges who are officers in the Judicial Division to seek reimbursement for meals as they have done in the past? Is the President of the ABA prepared to answer the questions that the ABA Model Code will require judges to ask in advance, including those about the source of ABA funding? If the answers are not satisfactory, must the judges either not attend, or decline reimbursement for Judicial Division travel? What effect will this have on Judicial Division membership? Does the Commission intend for this Model Code to apply to federal judges, such that judges who attend expense-reimbursed educational seminars (e.g., Midyear Meeting, Annual Meeting) will be subject to criticism in the press? To whom would federal judges make quarterly reports regarding reimbursement under Rule 4.15?

Best regards,  
James Glazebrook

cc: Bob Collings, USMJ, Chair NCFTJ