

ABA Judicial Division National Conference of the Administrative Judiciary

In the Application Section, Preliminary Draft, Page one, line 14, substitute the following language:

Anyone, whether or not a lawyer, who is an officer of a judicial system and who performs judicial functions, including an officer such as a justice of the peace, magistrate, court commissioner, special master, referee, or member of the administrative judiciary, is a judge within the meaning of this Code.

In the Application Section, Preliminary Draft, Page two, line 3 insert the following COMMENT

[3] "Administrative judiciary" includes all individuals whose exclusive role in the administrative process is to preside and make decisions in a judicial capacity in evidentiary proceedings, but does not include agency heads, members of agency appellate boards, or other officials who perform the adjudicative functions of an agency head.