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Sent: Wednesday, November 17, 2004 5:08 PM
To: Viertel, Maggie
Cc: Ellen.F.ROSENBLUM@ojd.state.or.us
Subject: ABA Joint Commission to Evaluate the Model Code of Judicial Conduct

Greetings:

Founded in 1993, the International Association of Lesbian and Gay Judges (IALGJ) currently has 64 dues-paying members in thirteen states, the District of Columbia, and three Canadian provinces. We maintain a mailing list of about 125 judges. Our goals and purposes are:

To provide an opportunity for judicial officers to meet and to exchange views, and to promote education among our members and among the general public on judicial issues and legal issues related to the GLBT (gay/lesbian/bisexual/transgender) community;

To increase the visibility of GLBT judicial officers so as to serve as role models for other GLBT people, and to bring to the attention of the general public the prominence of these judicial officers;

To aid in ensuring the equal treatment of all persons who appear in courtrooms as litigants, jurors, staff persons, and in any other capacity;

To coordinate information sharing among GLBT judicial officers and others in the GLBT and general communities; and

To serve as resources for other GLBTs who are interested in seeking judicial office.

In that context, we respectfully propose a modification to the draft amendment to the ABA Model Judicial Canon 3.03, specifically relating to the last four words. Our suggested redraft reads:

3.03 Affiliation with Discriminatory Organizations. A judge shall not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion, national origin, ethnicity, or sexual orientation, and shall not use the facilities of such an organization in a manner sufficient to create the impression that the judge approves of the organization and its practices.

We believe, by utilizing the language of section 3 of the commentary, that (a) confusion of what is meant by "to any significant degree" will be eliminated, and (b) clarity of the purpose of the rule will be provided.

Thank you for your serious consideration of this proposal.

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Sincerely,

Sidney A. Galton, President
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