

LAW OFFICES  
**DAVID L. KAHN, P.A.**  
TRIAL LAWYERS BUILDING  
SUITE 202  
633 SOUTHEAST 3rd AVENUE  
FORT LAUDERDALE, FLORIDA 33301  
TELEPHONE (954) 462-6290  
TELECOPIER (954) 462-6430

DAVID L. KAHN

Miami-Dade Tel: (305) 944-1306  
Delray Tel: (561) 272-3343

June 14, 2004

Dennis Archer  
American Bar Association  
750 North Lake Shore Drive  
Chicago, Illinois 60611

**RECEIVED**

JUN 22 2004

OFFICE OF PRESIDENT

RE: MODEL CODE OF JUDICIAL CONDUCT REVISIONS

Dear President Archer:

As a thirty year member of the ABA, I read a recent newspaper editorial that suggests that my and your organization, the ABA, has proposed to modify the Model Code of Judicial Conduct to weaken a core provision that requires judges to avoid, not just impropriety in all their activities, but also the appearance of impropriety. The latter has always been the standard here in Florida, and the standard by which our courts and jurists have been expected to conduct themselves. Any lessening of that standard by the ABA would be wrong.

I do not understand the agenda of Mark Harrison, the Arizona lawyer who leads the commission for the ABA on this matter. However, I find it unacceptable that the standards related to the conflict of interest by a jurist be watered down by saying that violations will not "ordinarily" lead to professional discipline unless there are charges of other rule violations.

The ABA is not a "tool" of the Justices of the United States Supreme Court and their supporters. Let's leave politics out of this. Any type of ex post facto effort to prove of the recent, and now infamous duck-hunting trip taken by Justice Scalia with the Vice President, its implications toward Justice Scalia's ability to impartially rule on a pending challenge to the Vice President's conduct is dead wrong. Please do not support the change in the Code of Conduct.

Very truly yours,



David L. Kahn

DLK/lf

cc: Florida Delegates to the House of Delegates

