

California Code of Judicial Ethics: A Detailed Table of Contents

Preface: This section briefly introduces the 1996 Code of Judicial Ethics and its subsequent amendments. It highlights the code's establishment of ethical standards for judges on and off the bench, as well as for judicial candidates during campaigns.

Preamble: This section outlines the foundational principles of judicial ethics, emphasizing the role of the judiciary as a public trust and the importance of maintaining confidence in the legal system.

Terminology: This section defines key terms used throughout the code, ensuring clarity and consistent interpretation of the canons.

Canon 1: Upholding the Integrity and Independence of the Judiciary: This canon underscores the significance of an independent and impartial judiciary for achieving justice. It mandates that judges participate in establishing, maintaining, and personally observing high standards of conduct to preserve judicial integrity and independence.

Canon 2: Avoiding Impropriety and the Appearance of Impropriety: This canon calls for judges to act in ways that promote public confidence in the judiciary's integrity and impartiality. It includes guidelines for avoiding impropriety in public statements, use of judicial prestige, and relationships.

Canon 2A: Promoting Public Confidence: This sub-section emphasizes the judge's duty to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary at all times. It urges judges to consider public perception and the potential impact of their actions on public trust.

Canon 2B: Use of the Prestige of Judicial Office: This sub-section restricts judges from leveraging their judicial title for personal gain or to influence others. It details permissible exceptions, such as providing character witness testimony or participating in judicial selection processes.

Canon 2C: Bias, Prejudice, and Harassment: This sub-section forbids judges from manifesting bias or prejudice based on personal characteristics. It also prohibits judges from engaging in or tolerating harassment within their judicial capacity.

Canon 3: Performing Judicial Duties Impartially, Competently, and Diligently: This canon mandates that judges execute their duties with fairness, skill, and diligence. It encompasses responsibilities for ensuring fairness, managing court proceedings, and avoiding bias or the appearance of impropriety.

Canon 3B: Adjudicative Responsibilities: This sub-section provides detailed guidelines for ensuring fairness in judicial proceedings. It covers responsibilities for rulings, decorum, ex parte communications, and the handling of evidence and information.

Canon 3C: Administrative Responsibilities: This sub-section outlines the judge's administrative duties, emphasizing impartiality in appointments and managing court operations effectively. It emphasizes the need for fair and merit-based decision-making in court administration.

Canon 3D: Disciplinary Responsibilities: This sub-section addresses the judge's responsibility to uphold the ethical standards of the judiciary. It encourages taking appropriate action in instances of misconduct and promoting ethical conduct amongst fellow judges.

Canon 3E: Disqualification: This sub-section details circumstances requiring judges to recuse themselves from cases to avoid bias or the appearance of impropriety. It lists specific situations where personal or financial interests could potentially compromise impartiality.

Canon 4: Minimizing Conflicts Between Quasi-Judicial and Extrajudicial Activities: This canon calls for judges to conduct their activities outside the courtroom in a manner that minimizes conflicts with their judicial duties. It addresses permissible activities, fiduciary responsibilities, and restrictions on practicing law while serving as a judge.

Canon 4B: Avocational Activities: This sub-section permits judges to engage in activities outside their judicial role, such as writing or teaching, as long as they do not compromise judicial

obligations. It emphasizes the balance between personal pursuits and maintaining the dignity of the judicial office.

Canon 4C: Governmental, Civic, or Charitable Activities: This sub-section outlines limitations on judges' involvement in governmental or civic activities, primarily allowing participation in activities related to the improvement of the law and legal system. It emphasizes the need to avoid conflicts of interest and maintain public confidence.

Canon 4D: Financial Activities: This sub-section sets guidelines for judges' financial dealings and investments, aiming to prevent conflicts of interest and maintain public trust. It includes restrictions on gifts, business ventures, and financial management practices.

Canon 4E: Fiduciary Activities: This sub-section addresses limitations on judges' involvement in managing trusts and estates, primarily to prevent conflicts with their judicial duties. It outlines restrictions on serving as a fiduciary and provides exceptions for specific situations.

Canon 4F: Service as Arbitrator or Mediator: This sub-section prohibits judges from acting as arbitrators or mediators in their private capacity unless explicitly authorized by law. It clarifies that this restriction does not apply to judicial functions performed as part of their official duties.

Canon 4G: Practice of Law: This sub-section prohibits judges from practicing law while serving in their judicial capacity. This prohibition extends to representing others in legal matters but does not prevent judges from handling their own legal affairs.

Canon 4H: Compensation, Reimbursement, and Reporting: This sub-section covers permissible forms of compensation and reimbursement for judges' participation in activities related to the improvement of the legal system. It outlines specific guidelines and emphasizes transparency in financial reporting.

Canon 5: Political and Campaign Activity: This canon outlines restrictions on political activities for judges and candidates for judicial office to ensure the integrity and impartiality of the judiciary. It addresses limitations on political endorsements, fundraising, and public statements during campaigns.

Canon 5A: Political and Campaign Conduct: This sub-section restricts judges and judicial candidates from engaging in certain political activities, such as making partisan endorsements or soliciting funds for political organizations. It aims to prevent the perception of bias or undue influence.

Canon 5B: Conduct During Judicial Campaigns and Appointment Process: This sub-section focuses on maintaining fairness and integrity during judicial campaigns. It prohibits making misleading statements, pledges that compromise impartiality, and inappropriate use of endorsements.

Canon 6: Compliance with the Code of Judicial Ethics: This canon clarifies the applicability of the code to various judicial officers, including retired judges and temporary judges. It provides specific guidance and exceptions for different categories of judicial officers.

Canon 6D: Temporary Judges: This sub-section outlines specific ethical guidelines for temporary judges, addressing disqualification, ex parte communications, and restrictions on gifts and financial activities. It emphasizes the importance of ethical conduct despite the temporary nature of their service.

Canon 6F: Compliance with the Code of Judicial Ethics: This sub-section clarifies that newly appointed judges are expected to comply with the code even if they have pre-existing fiduciary commitments. It allows for a grace period to resolve such commitments while adhering to the code's principles.