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Correspondence Between Roger J. Traynor and James K. Groves In Regards to *Rocky Mountain News* ' Article, "More Ethics For Judges," 1971 May 26 - 1971 June 1

James K. Groves  
Supremen Court, State of Colorado

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The Honorable Roger J. Traynor  
Chairman, American Bar Association  
Special Committee on Standards of Judicial Conduct  
Berkeley, California  

Dear Judge Traynor:

I imagine that this editorial is appearing in most Scripps-Howard newspapers, but send it along in the event I am mistaken.

Sincerely yours,

James K. Groves

JKG:sh

cc: Professor E. Wayne Thode

Enclosure
June 1, 1971

The Honorable James K. Groves
Supreme Court of Colorado
State House
Denver, Colorado 80203

Dear Jim:

Many thanks for the copy of the editorial in the Rocky Mountain News on our proposed Canons of Judicial Ethics.

With all good wishes,

Sincerely yours,

Roger J. Traynor

RJT:df
More ethics for judges

AS A RESULT OF questionable adventures of a Black Panther provincial office by Justice William O. Douglas and former Justice Abe Fortas, the federal government has had an 11-man committee working on the problem of ethics for judges.

The committee now comes up with a draft of a new code which will be submitted to the bar convention next year, after soliciting comments from a host of interested persons.

The gist of the code is contained in one sentence:

That a judge (any judge) "must avoid all impropriety and appearance of impropriety."

This would include not having any financial interest which might be involved in any case before the judge. Or, if he had such an investment, to disqualify himself from the case.

But no lawyer should take a judicial position unless he can live with the bar's standards of absolute impartiality. The judicial system is at the heart of an orderly society. No man can be a judge and not instinctively know the rules.

So long, Ugly American

AMID ALL THE wailing about the dollar's falling value on foreign money markets, it should be pointed out that there's a silver lining in our financial clouds.

For one thing, it will cost Americans more to travel abroad. Some of us will stay home and may even get to know the family. And those who travel overseas will no longer have to live up to the stereotype of the free-spending, noisy American, and champagne for breakfast and over-the-top tips and superlative waiters who sneered at us anyway.

Americans who move down the travel league, articles have started to appear, as if by magic, about "Ugly Germans" and "Ugly Japanese." The Germans, after all, are buying up everything on the Irish shoreline and hogging the tennis courts at resorts, and the Japanese are being called pushy and arrogant. It's comforting to know that those who enter to tourists will continue to have people to dislike.

Huey hits the sawdust trail

IT WOULD TAKE A supreme optimist—and possibly a career fathead—to make much of Rocky Newton's newfound protestations of nonviolence, churchgoing and all around righteousness.

Yet we think it is worth remarking, for it truly does signal a turn away from the violence and confrontation by the Black Panthers it is news of marked significance.

Huey, founder of the Black Panther Party, is a folk hero to the thousands of black youths, if his potential for mischief has been huge, then we are bound to say that if he really means to make a 180-degree turn in his tactics he must have an equally vast potential for good.

"Our intention to operate with reality does not mean we accept it," Newton says, "we must operate within the system so we can change it. It is wrong to say the system can't give us anything because it is just not true."

Fair enough. Let's see if he means it, and if his militant followers will go down this new path with him.

Letters from the people

New policy

Editor: The United States seems to be reversing its field completely after 25 years of determined opposition to Communist China. Suddenly, a long-song team is allowed to play (and lose) a few matches in Red China, and pesto: the United States has a new foreign policy!

Table tennis diplomacy has opened the door. President Nixon has announced relaxed relations with the Chinese enemy.

He hints at selling jet aircraft to the Reds, travel agencies are feverishly clamouring for permission to fly into China.

Air L.ines are setting for routes. Nationalist China is complaining, for it means the threat is back.

If you want to fly into China, drop us a line.

JERRY KUPLER

Idaho Springs

Southern vote, the youth vote: the conservative vote, the vote of the poor, the vote of the rich, the vote of Chinese Americans, the vote of other Americans from capitalist nations.

Nixon wants to be drafted in Red China, and pesto: the United States has a new foreign policy!

The proposed code is explicit about a judge must sub­mit to restrictions on his personal freedom which would be regarded as "bur­densome" by other people.

There is also no explanation implicit about judicial behavior. And maybe this is necessary. The embarrassments Justices Fortas and Douglas brought on themselves indicate as much.

Bet the essence of eligibility for a position on the bench is an acute under­standing of judicial responsibility. That responsibility includes personal behavior which is above reproach and above suspicion, even if the judge should understand this, code or no code.

Some judges are elected and some are appointed. Neither the electorate nor appointing power, such as the President of the United States or a governor, can be sure of the ethical integ­rity of a judicial candidate, even after the most careful inquiry.

But no lawyer should take a judicial position unless he can live with the bar's standards of absolute impartiality.

The judicial system is at the heart of an orderly society. No man can be a judge and not instinctively know the rules.

JERRY KUPLER

Idaho Springs

Daily Bible Lesson

THE PROMISE OF PEACE

For, behold, I create new heavens and a new earth: and the former shall not be remembered, nor come into mind. But ye shall rejoice and be glad for evermore, yea, for evermore.

Isaiah 65:17-19, 24-25