

7-11-1971

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### Recommended Citation

Jack C. Landau, *Bar Finds Little Opposition to Proposed Judicial Ethics Code* (1971).

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JUL 11 1971

*B. G. Keller*

# Bar Finds Little Opposition to Proposed Judicial Ethics Code

BY JACK C. LANDAU

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New York — The American Bar Assn. was surprised to learn last week that there is little opposition so far to a proposed new code of judicial ethics for all local, state and federal judges.

The proposals which would govern almost all aspects of judicial behavior — on and off the bench — received their first public hearing at the bar association's annual convention here.

The 40 federal, state and local judges who attended the initial hearing appeared generally satisfied with the proposed code, which would:

- Bar a judge from sitting on any case in which he has any financial interest.
- Stop him from participating in a group, such as the Warren Commission on the Kennedy Assassination, that may become politically controversial.
- Severely limit partisan

political activity even for judges who are elected.

Under the current canons of judicial ethics, adopted in 1924, a judge is only barred from hearing a case in which he has a "significant" financial interest — a determination that he alone makes in the secrecy of his own conscience.

Other provisions of the new code would require a judge to divest himself "as soon as possible" of stocks and bonds

that might lead to frequent disqualification.

A judge also is required to publicly report all outside income from such "extrajudicial" and "quasijudicial" activities as speechmaking, teaching and writing.

This provision was particularly aimed the type of criticism that arose when it was discovered Justices William O. Douglas and Abe Fortas both had received substantial yearly sums from charitable

foundations.

While encouraging judges to be active in groups seeking improvements in the administration of justice, the proposed canons would bar a judge from accepting appointments "to a government committee charged with resolving issues of fact or policy" unconnected to legal activities.

This rule is aimed particularly at situations such as the Warren Commission. After the commission completed its re-

port, there were repeated charges that President Johnson had exploited the office of chief justice for political ends.

The one provision of the new code that appears to be headed for trouble would bar judges from participating in any political fund-raising events or other political activities except when they come up for re-election.

While this provision has no effect on federal judges, who

are appointed for life, or on state appellate judges who are appointed for life or for long terms, it will pose extreme burdens on judges in lower state courts and in county and city courts who generally have to run for re-election every few years.

More hearings on the code will be held before it is presented to the entire ABA for approval, probably next February.