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Proposed Judicial Ethics Code Would Bar Service on Panels

By LYLE DENNISTON Star Staff Writer

A committee writing a new code of judicial ethics sug-
gested yesterday that no judge serve on a governmental
panel dealing with "misconduct." The Commis-
sion," which investigated Pres-
ident John Kennedy's assassina-
tion.

The 11-member American Bar 
Association committee, which
took testimony from former Pot-
er Stewart, cited a need to
avoid controversy and a need
for "the appropriate-
ness" of judges to serve on
government panels. A draft
commission on assets was "substan-
tially" rewritten.

"The commission on assets was "substan-
tially" rewritten because it had been his idea to draft a
new set of ethical canons that would replace a code that
was in effect since 1924.

The "1924 code," the later version said, was
"sent to 15,000 persons for com-
ment, and will be the subject of
over 300 public meetings in fed-
eral City on Oct. 30. The commis-
sion plans to submit a final version
in August, 1972. If adopted by the states and
the U.S. judicial Conference, the
code would apply to all judges.

The revised version concluded
that the "appropriate-
ness" of judges to serve on
government panels was an issue.

The committee said the 1924 code
would remain in effect.

The new draft contains a
"general prohibition on the use of
judges in the 'matter in controversy'
previously. That was not men-
tioned in the earlier version.

A judge could never accept an
outside post as an arbitrator. The earlier version said he could do so in
"extraordinary circumstances.

The earlier version, the new draft would require judges to disclose their
outside, or non-judicial, compensation and gifts worth more than $100 from
non-family sources, but other-
wise he would have to reveal his income, debts or in-
vestments.

Private Affairs

The new draft contains a
strong defense of the judge's
government panel, and the 'ordinary
ninary citizen' to keep his private financial affairs to himself.

The ownership of invest-
ments and receipt of income
deremned . . . should not be per-
mitted to be the occasion for
groundless attacks on his integ-
re," the committee said.

That was not men-
tioned in the earlier version.

The stiffest restriction on a judge would be the requirement that he authe-
ntically disclose any interests in
anything from any case in which
he had any personal interest at all.

There would be no chance of a judge's self-disclosure coming back to
him once he had disclosed himself, even if all lawyers and all par-
ties wanted him to come back to it.

The interest in "in-
sult" could return, every-
one involved agreed in write-
ing after being told fully what
his interest was. That, however,
would be up to the judge him-
self, and he would have no duty
to reveal his income, debts or in-
vestments if he did not "choose to do so."