

Committee on Judicial Ethics
Teleconference
Monday, August 19, 2013

Members present via teleconference: Justice Barry R. Schaller, Chair, Judge Christine R. Keller, Vice Chair, Judge Maureen D. Dennis, Judge Barbara M. Quinn and Professor Sarah F. Russell. Staff present: Attorney Maureen P. Finn.

MINUTES

- I. With the above noted Committee members present, Justice Schaller called the meeting to order at 9:32 a.m. Although publicly noticed, no members of the public were in attendance.
- II. The Committee unanimously approved the minutes of the August 6, 2013 meeting.
- III. The Committee discussed **Informal JE 2013-37** concerning whether a Judicial Official may attend the portrait unveiling ceremony honoring a former governor. The portrait presentation of M. Jodi Rell is an official state event which is being held in September at the State Supreme Court Building in the State Library. The event is funded through the State of Connecticut's Office of Policy and Management and there is no charge to attend.

Rule 1.2 of the Code of Judicial Conduct states that "a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this Code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge."

Rule 3.7 of the Code concerns participation in educational, religious, charitable, fraternal, or civic organizations and activities. Rule 3.7(a) states in relevant part that "[s]ubject to the requirements of Rule 3.1, a judge may participate in activities sponsored by organizations or governmental entities concerned with the law, the legal system, or the administration of justice, and those sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations not conducted for profit, including but not limited to" certain enumerated activities.

Rule 4.1(a)(5) of the Code states that a judge “shall not . . . attend or purchase tickets for dinners or other events sponsored by a political organization or a candidate for public office.”

Based upon the information provided, including that the portrait unveiling ceremony is an official state event funded by the State of Connecticut’s Office of Policy and Management, the Committee unanimously determined that the Judicial Official may attend this event honoring the former governor. In rendering this opinion, the Committee also considered its opinion in [JE 2012-21](#) (Judicial Official and his/her spouse may attend a small gathering at the home of a relative so that a retiring political official can thank the hosts and guest for their prior support); *New York Opinion 12-124* (judge may attend a retirement party for an elected official, where the event is being paid for with campaign funds, but is not otherwise sponsored by a political organization); *New York Opinion 97-06* (judge may attend and serve as master of ceremonies at an event honoring retiring political official which is not sponsored by a political organization and is not a fundraiser); and *New York Opinion 90-154* (judge may attend dinner for a friend who is retiring from the state legislature).

IV. The meeting adjourned at 9:37 a.m.