

Committee on Judicial Ethics
Teleconference
Thursday July 9, 2009

Members present via teleconference: Justice Barry R. Schaller, Chair, Judge Linda K. Lager, Vice Chair, Judge Robert J. Devlin, Jr., Judge Socrates Mihalakos and Associate Professor Jeffrey A. Meyer. Staff present: Martin R. Libbin, Esq., Secretary, Viviana L. Livesay, Esq., Assistant Secretary (after start of meeting).

MINUTES

- I. Justice Schaller called the meeting to order at 9:16 a.m. Though publicly noticed, no members of the public attended.
- II. The Committee unanimously approved the draft Minutes of the July 1, 2009 meeting. Thereafter, Justice Schaller, who had recused himself from consideration of Opinion JE 2009-23, terminated his participation in the teleconference.
- III. The remaining Committee members considered Judicial Ethics Informal Opinion 2009-23 regarding whether a Judicial Official may organize and participate in a law related educational program on behalf of a general membership bar association if the bar association intends to solicit corporate sponsors to underwrite some or all of the costs of the program. The inquiring Judicial Official had noted that the solicited sponsors likely would include law firms and businesses that currently are, or are likely to be, engaged in litigation in the Connecticut courts. The participating members of the Committee unanimously determined that the judicial official could organize and participate in the law related education program provided by a general membership bar organization where sponsors, including law firms and businesses appearing or likely to appear before the judicial official are solicited, subject to the following conditions: (1) the judicial official should prohibit the bar association from using the judicial official's name or title in soliciting sponsors, (2) the judicial official should not personally participate in soliciting donors, (3) the judicial official should not discuss any pending or impending cases in his or her presentation, and (4) the judicial official should be satisfied, after considering all the circumstances, that a reasonable person would not believe either that the judicial official had lent the prestige of office to advance the private interests of others or that the donor was in a special position to influence the judicial official. The judicial official's consideration should include among other circumstances an evaluation of (a) the nature of the sponsorships, e.g. whether there is one or multiple sponsors, whether the total value of the sponsorship(s) defray expenses or exceed the cost of the program, etc., (b) whether the donors will be present at the event, and (c) whether the donors are to be recognized and if so by what method.
- IV. The meeting adjourned at 9:27 a.m.