



Ethics and Professionalism Committee  
January 20, 2012  
Meeting Minutes

- I. Judge Welch called the meeting to order at 1:33 p.m.

Attendees: Judge Heather Welch, Chair, Mag. Larry Bradley, Judge Richard Culver, Ms. Adrienne Meiring, Judge Timothy Oakes, Judge Rex Reed, Judge Michael Robbins, Judge Evan Roberts (via teleconference), Mag. John Sedia, and Judge Gary Smith.

- II. The August 19, 2011 meeting minutes were unanimously approved.

- III. Mission Statement

The Committee reviewed the mission statement and discussed the need for revision to meet current need. Staff will gather additional information to facilitate further discussion on this issue.

- IV. Discussion Items

- A. Old Business

The Committee continued discussion on the issue of disqualification of judicial officers who were former prosecutors in certain criminal cases in accordance with Rule 2.11. Letter from Judge Humphrey distributed. Committee members acknowledged that Rule 2.11 can be problematic in smaller communities and discussed several approaches to amending this rule. Members would like to survey judicial officers to determine the extent of the concern regarding Rule 2.11 requirements and to obtain general data on this issue statewide. Staff will determine the available method(s) for surveying judicial officers and report back to the Committee.

- B. New Projects

- (1) Education materials for new judges – the Committee expressed an interest in developing an ethics benchbook for new judges. Staff will consult with the IJC Education Division staff to determine how the Committee may be helpful with ethics education/materials and report back to the Committee.
- (2) Survey of judicial officers – the Committee agreed to survey judicial officers to determine best how to focus the Committee's efforts to meet

the needs of judicial officers. Staff will determine the available method(s) for surveying judicial officers and report back to the Committee.

- (3) Guidance on the use of social media – the Committee has expressed an interest in developing best practice guidelines for judicial officers on the use of social media in compliance with the Code of Conduct. Judge Welch will compile ethics opinions on this issue from other states for the Committee.
- (4) Application of Rule 2.17 and AR 9 – the Committee is interested in how judicial officers are complying with Rule 2.17 and AR 9. Judge Oakes will consult with Mr. Remondini and report back to the Committee.
- (5) Guidance on Rule 2.9 – the Committee expressed an interest in developing best practice guidelines for courts utilizing the services of CASA/GAL and receivers to ensure the rule prohibiting ex parte communications is followed. Judge Oakes will research the use of receivers and report back to the Committee.
- (6) Guidance for problem-solving courts – the Committee expressed an interest in developing best practice guidelines for judicial officers presiding over problem-solving courts to help avoid ethical issues. Staff will provide the Committee with a copy of the problem-solving court statutes and rules and the “The Drug Court Judicial Benchbook” published by the National Drug Court Institute at the next meeting.
- (7) Materials on fitness to serve – the Committee expressed an interest in providing best practice guidelines for dealing with fitness to serve issues. Judge Robbins and Magistrate Sedia will work on this project and report back to the Committee.

V. 2012 Meeting Schedule – the Committee tentatively agreed to meet on the second Friday of April, July, September and December. A firm schedule will be developed by Judge Welch and distributed to the Committee.

VI. Judge Welch adjourned the meeting at 3:30 p.m.