



Committee on Judicial Ethics

Annual Report for January 1 - December 31, 2017

Membership. The Committee on Judicial Ethics, which began operating on August 1, 2008, continued its work throughout the 2017 calendar year. The membership remained constant during the year, consisting of the following members: Honorable Christine E. Keller (Chair); Honorable Maureen D. Dennis (Vice Chair); Honorable Angela C. Robinson; Professor Sarah F. Russell; Hon. Robert B. Shapiro and Honorable James T. Graham (Alternate). The only minor change to the Committee occurred in July, when Judge Dennis was appointed to serve as Chair of the Committee, effective August 1, 2017. No Vice Chair was appointed. Attorney Martin R. Libbin continued to serve as Secretary to the Committee and Attorneys Viviana L. Livesay and Adam P. Mauriello as Assistant Secretaries.

Policy and Rules. No policy or rule changes took place during 2017.

Committee Webpage. No substantial changes were made to the webpage during 2017. Notice of all meetings, agendas and minutes continued to be made available on the Committee's website, as well as on the "State Agency Public Meeting Calendar" website portal found at: <https://egov.ct.gov/pmc>.

Email Updates to Bench. The Committee continued to send email updates of recently released advisory opinions to members of the bench. The frequency of the email updates was dependent upon the Committee's level of activity in a particular month.

Activity. During 2017, the Committee met via teleconference seven times to discuss pending inquiries and ratify emergency staff opinions. The Committee received sixteen requests for advisory opinions, many of which consisted of multiple subjects. For summary purposes, inquiries will be listed under only one category rather than multiple categories. One request was for a formal opinion ([2017-12](#)).

Six of the sixteen advisory opinions were issued on an emergency basis after staff consulted with the Chair, and Committee members circulated comments on the requests. In each instance, the Committee discussed and approved the opinions at subsequent meetings. (Emergency staff opinions: [2017-01](#), [2017-02](#), [2017-04](#), [2017-05](#), [2017-11](#) & [2017-14](#)).

Two of the requests involved on-the-bench conduct. One of those matters concerned the recusal of a judge who filed a report against an attorney calling into question the attorney's mental fitness to practice law ([2017-10](#)) and the other concerned whether a judge is required to report the alleged criminal conduct of a litigant ([2017-12](#)). Two of the inquiries came from new judges concerning the transition to the bench ([2017-02](#) & [2017-05](#)).

The remaining twelve inquiries involved off-the-bench activities concerning the following issues: participating in social activities ([2017-01](#)); assisting with fundraising and/or attending/receiving special recognition at a fundraising events ([2017-03](#), [2017-11](#), [2017-13](#) & [2017-14](#)); engaging in political activity ([2017-04](#) & [2017-08](#)); serving on an advisory committee of civic fund-granting organizations ([2017-06](#) & [2017-15](#)); becoming a member of an organization that advocates for the defense bar ([2017-07](#)); the propriety of using a vanity plate that identifies a judge's past affiliation with law enforcement ([2017-09](#)); and engaging in a gift transaction for tax avoidance purposes ([2017-16](#)).

The Committee observed that the subjects of inquiries during 2017, as in the previous years, revealed that Judicial Officials continue to pay close attention to the growing body of formal and informal opinions. Although some seek clarification or expansion of matters covered in past opinions, Judicial Officials, for the most part, do not ask about matters that were prevalent in prior years. Rather, they appear to rely on past opinions to guide their conduct. The requests during 2017 continue to consist of increasingly nuanced and current subjects, reflecting heightened sensitivity toward maintaining ethical conduct. Groups of new judges will continue to receive training in order to make them aware of the Committee's work and to encourage them to submit inquiries pertaining to the transitional stage as well as throughout their careers.

The Committee, which has now completed nine and a half years of service, is encouraged that Judicial Officials appear to be actively using our services and benefitting from access to the summaries of Informal and Formal opinions and the cross-referenced Subject Matter Index, as well as the minutes of Committee meetings. While encouraging Judicial Officials to consult the webpage regularly and to review the email updates, the Committee continues to urge that Judicial Officials should not hesitate to present inquiries whenever they have concerns, regardless of the subject matter or the complexity of the issue or whether the particular subject may have been addressed in some respects previously. Ethics inquiries are highly fact-specific and even issues that have been addressed before may present new concerns.

The Committee is prepared to use the "Ethics Alert" feature of the webpage whenever necessary to increase the likelihood that advisory opinions on crucial matters of broad interest will come to the attention of Judicial Officials. All Committee members continue to receive monthly updates from Cynthia Gray, the ethics director of the National Center for State Courts, Center for Judicial Ethics.

The members of the Committee join in thanking and commending staff for their excellent and prompt professional assistance in the work of the Committee.

Recommendations. The Committee again recommends that ethics components be included on a regular basis in the CJI program. The Committee also welcomes suggestions as to how it can further improve its website to insure effective access to the growing body of ethical opinions.

Conclusion. The Committee is dedicated to providing accurate, timely, and effective ethics opinions for the guidance of Judicial Officials while also maximizing the privacy of Judicial Officials who submit requests.

Respectfully submitted,

Maureen D. Dennis, Chair
January 24, 2018