

CANON 3, RULE 3.14

A judge shall conduct the judge's personal and extrajudicial activities to minimize the risk of conflict with the obligations of judicial office.

RULE 3.14: REIMBURSEMENT OF EXPENSES AND WAIVERS OF FEES OR CHARGES

- (A) Unless otherwise prohibited by Rule 3.1 or other law,* a judge may accept reimbursement of necessary and reasonable expenses for travel, food, lodging, or other incidental expenses or a waiver or partial waiver of fees or charges for registration, tuition, and similar items from sources other than the judge's employing entity, if the expenses or charges are associated with the judge's participation in extrajudicial activities permitted by this Code.
- (B) Reimbursement of expenses for necessary travel, food, lodging, or other incidental expenses shall be limited to the actual costs reasonably incurred by the judge and, when appropriate to the occasion, by the judge's spouse, domestic partner,* or guest.
- (C) [Reserved]

COMMENTS

- [1] Educational, civic, religious, fraternal, and charitable organizations often sponsor meetings, seminars, symposia, dinners, awards ceremonies, and similar events. Judges are encouraged to attend educational programs as both teachers and participants in law-related and academic disciplines in furtherance of their duty to remain competent in the law. Participation in a variety of other extrajudicial activity is also permitted and encouraged by this Code.
- [2] Not infrequently, sponsoring organizations invite certain judges to attend seminars or other events on a fee-waived or partial-fee-waived basis and sometimes include reimbursement for necessary travel, food, lodging, or other incidental expenses. A judge's decision whether to accept reimbursement of expenses or a waiver or partial waiver of fees or charges in connection with these or other extrajudicial activities must be based upon an assessment of all the circumstances. The judge must undertake a reasonable inquiry to obtain the information necessary to make an informed judgment about whether acceptance would be consistent with the requirements of this Code.

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- [3] A judge must be assured that acceptance of reimbursement or fee waivers would appear to a reasonable person not to undermine the judge's independence, integrity, or impartiality. The factors that a judge should consider when deciding whether to accept reimbursement or a fee waiver for attendance at a particular activity include:
- (a) whether the sponsor is an accredited educational institution or bar association rather than a trade association or a for-profit entity;
 - (b) whether the funding comes largely from numerous contributors rather than from a single entity and is earmarked for programs with specific content;
 - (c) whether the content is related or unrelated to the subject matter of litigation pending or impending before the judge or to matters that are likely to come before the judge;
 - (d) whether the activity is primarily educational rather than recreational and whether the costs of the event are reasonable and comparable to those associated with similar events sponsored by the judiciary, bar associations, or similar groups;
 - (e) whether information concerning the activity and its funding sources is available upon inquiry;
 - (f) whether the sponsor or source of funding is generally associated with particular parties or interests currently appearing or likely to appear in the judge's court, thus possibly requiring disqualification of the judge under Rule 2.11;
 - (g) whether differing viewpoints are presented; and
 - (h) whether a broad range of judicial and nonjudicial participants are invited, whether a large number of participants are invited, and whether the program is designed specifically for judges.