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JUDICIAL CONDUCT REPORTER

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Charitable Contributions as Part of a Sentence

by Cynthia Gray

Both judicial discipline commissions and ethics advisory committees have criticized the practice of judges ordering contributions to a charity as part of criminal sentences. In a recent example, the Texas State Commission on Judicial Conduct issued a public warning to a judge who had provided defendants in traffic cases with the option of making donations to a private charity in exchange for dismissal of their tickets. *Public Warning of McDougal* (June 30, 1999). The judge, pursuant to an agreement with the city attorney, routinely advised traffic defendants dur-

ing arraignment that the city attorney could arrange a plea bargain to allow them to make a donation to a charity of the city attorney's choice. The judge was aware that the city attorney selected the city public safety committee in virtually all cases and regularly set the donation amount at \$150. The public safety committee assisted in providing services to the city and to the city's police department in particular and had made several contributions to the department.

That decision by the Texas Commission is consistent with the disciplinary actions by commissions and

supreme courts in other states.

- A judge was censured for allowing selected individuals (one of whom was a client and friend of the judge) to make voluntary contributions to law enforcement-related services (such as a SWAT team or K-9 unit) in exchange for dismissal of their tickets, which would not affect their driving records. *In re Felsted*, No. 90-913-F-19, Stipulation and Order of Censure (Washington Commission on Judicial Conduct September 7, 1990) (the judge agreed

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Judicial Campaign Oversight

by Cynthia Gray

In response to concerns that unethical conduct during judicial election campaigns is increasing, some states have taken steps to prevent unfair tactics and to respond expeditiously to complaints about judicial campaigns. These steps include education for candidates, requiring candidates to agree to conduct fair campaigns, and special committees to advise candidates, request changes to

advertising, and inform the public about unethical conduct.

For example, rules in Ohio and South Dakota require judicial candidates to complete a two-hour course in campaign practices, finance, and ethics accredited by the Commission on Continuing Education (Ohio) or sponsored and approved by the Commission on Judicial Qualifications (South Dakota). The judicial ethics

advisory committees in Florida and Washington have published materials giving candidates information about judicial campaign regulations. These publications contain the relevant provisions of the code of judicial conduct, rules of professional conduct, and statutes; answer frequently asked questions (for example, "may a judge or candidate for judicial office answer

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a questionnaire developed by a special interest group?" and "may a judge respond to attacks on his or her record?"), and include copies or summaries of the committee's opinions relating to campaign conduct. Rules in four states (Georgia, Ohio, Oklahoma, and South Dakota) provide that all judicial candidates will be sent the relevant provision in the code of judicial conduct and summaries of related advisory opinions.

Certification

In addition, Georgia, Oklahoma, and South Dakota require a candidate to certify he or she has read, understands, and agrees to be bound by the standards that regulate campaign conduct. The rule in Georgia provides that, "If the candidate does not make the certification, the [judicial qualifications] commission is authorized to immediately publicize that failure to all other candidates in the race and to appropriate media outlets." In Oklahoma, a failure to make the certification "shall constitute a per se violation of Canon 5." In South Dakota, a "failure to sign the form is a per se violation of the rule and authorizes the commission to immediately publicize the failure to do so to the other candidates in the race and to all appropriate media outlets."

Candidates in Alabama are asked to voluntarily sign a resolution agreeing to refer to competing candidates in a professional manner and without inuendo or derision and to refrain from:

- commenting on pending cases or issues that might reasonably become the subject of litigation;
- pledging to resolve specific cases in a particular way or to resolve legal issues according to any standard other than the merits of the case;

- distorting the substance and controlling legal principles of prior court decisions; and
- injecting derogatory comments or inferences concerning race, religion, gender, and national origin into the campaign.

The State Bar of Michigan also asks a judicial candidate to agree in writing to be personally responsible for the content of all statements and campaign materials relating to his or her campaign and to disavow publicly all statements or materials issued by an unauthorized source that are found to violate the code. The candidate also agrees that the omission of relevant information could make an otherwise truthful statement misleading or unfair and that it would be inherently unfair and improper to comment on any pending or impending case.

Campaign oversight committees

Several states have created special judicial campaign committees. In Alabama, for the 1998 elections, the supreme court established a 12-member Judicial Campaign Oversight Committee to be a resource to judicial candidates who had questions about campaign conduct and to serve as a deterrent to candidates and supporters who might consider conducting campaigns that did not comply with the code of judicial conduct. In 1998, the committee had seven lay members, three attorney members, one judge member, and two retired judge members. The members of the committee agreed not to participate in any judicial campaign activity, including not making any financial contribution to any candidate for judicial office.

Although it had no formal authority or power, the Alabama committee did establish liaisons with the political parties, the bar, and the Judicial In-

quiry Commission; provided background information and materials to candidates; met with candidates; and asked them to sign the resolution regarding campaigning described above. During the 1998 election campaign, the committee received over 350 inquiries about permissible conduct under the canons and the Fair Campaign Practices Act and for advice about running judicial campaigns. Several times, at the request of a candidate, the committee previewed campaign ads and materials. *Judicial Campaign Oversight Committee Report to the Supreme Court of Alabama* (December 7, 1998)

The Oklahoma Supreme Court has directed the bar association to establish a three-member Professional Responsibility Panel on Judicial Elections to deal expeditiously with allegations of ethical misconduct in campaigns for judicial office. *Title 5, ch. 1. Appendix 1-A, Rule 2.8, Rules Governing Disciplinary Proceedings*. The Georgia Supreme Court created a special committee on judicial campaign intervention consisting of the senior member of the Judicial Qualifications Commission from each of the three categories of membership (judge, lawyer, and lay person) to alleviate unethical and unfair campaign practices in judicial elections. *Rule 27, Rules of the Judicial Qualifications Commission*.

For the 1998 elections, the State Bar of Michigan established five-member judicial election panels, at least two in each court of appeals district. Appointed by the president of the State Bar, at least two members are attorneys, and at least two are non-attorneys. By signing the agreement described above, a judicial candidate agrees that a panel may request modification or retraction of advertising materials, make public comments, or refer matters to the attorney grievance

commission or the Judicial Tenure Commission. The candidate also agrees to cease conduct as requested by the panel and instruct a newspaper, radio station, or television station to modify or retract any advertising within four hours of a panel request.

During the general election campaign in 1998, the State Bar received six requests for action; the panels determined that four of the requests did not constitute a clear ethics violation. In the remaining two, the candidate agreed to comply with ethics rules, and no formal public action was necessary. See "Judicial Campaign Ethics Experiment," by Thomas K. Byerly, *Michigan Bar Journal* (March 1999) (<http://www.michbar.org/ethics>).

The Nevada Supreme Court has established a Standing Committee on Judicial Election Practices to "provide judicial candidates with a forum to resolve charges of false or unethical advertising; decide whether judicial campaign practices are proper; [and] render non-binding advisory opinions on hypothetical questions . . ." The committee is comprised of 12 attorneys and 12 non-attorneys; five-member panels consisting of two attorneys, two non-attorneys, and one district or senior judge serving as a non-voting member are chosen at random. Committee members are "on call on a twelve-hour basis during the last three weeks of both the primary and general election." *Rules of the Standing Committee on Judicial Ethics and Election Practices*.

The South Dakota Supreme Court will convene a five-member Special Committee on Judicial Election Campaign Intervention every year in which a circuit court election is held. Two members will be former members of the Judicial Qualifications Commission; two will be former members of the Disciplinary Board of the State Bar; and one will be a retired circuit court judge or supreme court justice.

The committee will "issue advisory opinions and . . . deal expeditiously with allegations of ethical misconduct in campaigns for judicial office." *Rule 30, Rules of Procedure of the Judicial Qualifications Commission*.

Cease and desist requests

In four states (Georgia, Michigan, Oklahoma, and South Dakota), if the oversight committee or panel determines after conducting an expeditious investigation that a complaint about a judicial candidate warrants speedy intervention, the committee may issue a confidential cease-and-desist request to the candidate and/or organization believed to be engaging in unethical and/or unfair campaign practices. If the campaign practices continue:

- In Georgia and South Dakota, the committees are authorized to release to appropriate media outlets a public statement setting out the violation and the failure by the candidate to honor the cease-and-desist request.
- In Michigan, the panel will make the complaint public.
- In Oklahoma, the panel may refer the matter to the general counsel of the bar association or the Council on Judicial Complaints.

A judicial candidate whose campaign materials were the subject of a public statement by the Georgia special committee on judicial campaign intervention has filed a suit challenging the committee's actions on First Amendment grounds. See *Weaver v. Bonner*, Order (U.S. District Court for the Northern District of Georgia March 16, 1999).

If the Nevada panel finds that a candidate has committed an unfair election practice, the panel "may impose sanctions, including publication of its decision," and the panel's public statement can be used by the aggrieved candidate in future campaign-

ing. However, the rules note that a public statement "may not always be appropriate," stating, for example, that "an untrue statement may be corrected by a public retraction of the statement by the offending candidate; in the event that the group addressed by the offending candidate was relatively small, then a retraction directed to that particular group may be deemed sufficient." Also, the committee may respond publicly to any unauthorized public reference to the committee by a candidate. Three candidates who were told to change their ads in the 1998 election have filed a suit against the Nevada committee charging a violation of their First Amendment rights.

Discipline

None of the oversight committees is authorized to institute disciplinary action against a candidate, but all may refer a complaint to the attorney or judicial discipline agency. In Nevada, the "panel's findings may be used as evidence in any disciplinary proceeding."

Pursuant to a supreme court rule, in Alabama, the Judicial Inquiry Commission or the State Bar must give priority to complaints alleging a violation of the code of judicial conduct during a campaign and make "every effort . . . to render a decision on the complaint during the course of the election campaign." *Canon 7C, Code of Judicial Ethics*.

The Ohio Supreme Court imposed short time limits for investigations, hearings, and decisions when a grievance is filed that alleges a violation during a judicial campaign, although the procedures involve several layers of review. *Section 5, Supreme Court Rules for the Government of the Judiciary*. For example, within five days of receiving the grievance, three members of the Board of Commis-

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to the censure, which was also for using court office space to discuss private business).

- A judge was removed from office for, among other misconduct, directing or suggesting that persons who had been found guilty contribute to certain charities in lieu of paying fines to the city. The judge decided the amount of money that the charity would receive and which charities would be on his list. He diverted approximately \$405,916 from the city treasury to his selected charities. *In the Matter of Davis*, 946 P.2d 1033 (Nevada 1997).
- A judge was suspended for 60 days without pay for approving plea bargains that included an agreement that, in consideration for a reduced charge, dismissal, or a nolle prosequi, a contribution would be made by the defendant to a fund maintained by the judge to improve court facilities. *In the Matter of Storie*, 574 S.W.2d 369 (Missouri 1978).

Compare *In the Matter of Merritt*, 432 N.W.2d 170 (Michigan 1988) (judge censured for maintaining a fund to assist indigent drug and alcohol abusers where contributions were from attorneys amerced for the late filing of pre-trial statements, tardiness, or failure to appear; judge was also ordered to make restitution) with *Washington Advisory Opinion 99-10* (a judge may give an attorney the option of paying fines levied for violation of civil scheduling orders directly to a local county bar association pro bono or volunteer lawyer program or a charitable organization instead of the county as long as the judge does not select the organization and the judge admonishes the lawyer not to make

the contribution to any organization that has a political agenda involving the legal system).

Judicial ethics committees have also advised that a judge may not require a defendant to contribute to a charity. *Florida Advisory Opinion 84-11*; *Florida Advisory Opinion 87-6*; *Indiana Advisory Opinion* (December 16, 1986); *Maryland Advisory Opinion 127* (1999); *Maryland Advisory Opinion 129* (2000); *Michigan Advisory Opinion JI-48* (1992); *Michigan Advisory Opinion JI-55* (1992); *1994 Annual Report Minnesota Board on Judicial Standards* at 10; *Missouri Advisory Opinion 172* (1998). The prohibition applies not only to donations of money but also donations of items such as toys, clothing, diapers, and food to specific charities or crime victim groups. *Texas Advisory Opinion 241* (1999). A judge may not require such a contribution:

- directly as part of a sentence (*Florida Advisory Opinion 84-11*);
- as part of a plea agreement (*Indiana Advisory Opinion* (December 16, 1986); *1994 Annual Report Minnesota Board on Judicial Standards* at 10);
- in exchange for withholding adjudication (*Florida Advisory Opinion 85-13*);
- as a condition of probation (*Florida Advisory Opinion 87-6*; *Maryland Advisory Opinion 129* (2000); *Missouri Advisory Opinion 172* (1998));
- as part of probation before judgment (*Maryland Advisory Opinion 129* (2000));
- when granting a state's attorney's motion to set a charge (*Maryland Advisory Opinion 127* (1999));
- as an option in lieu of performing a designated number of hours of

community service work (*Michigan Advisory Opinion JI-48* (1992));

- as credit on community service work that is required upon DUI convictions (*Florida Advisory Opinion 85-13*); or
- as a condition of community supervision (*Texas Advisory Opinion 241* (1999)).

See also *Michigan Advisory Opinion JI-117* (1998) (a judge may not sanction plea bargain in which a prosecutor requires a defendant to pay the "costs of prosecution" fee to the prosecutor's office in return for reduction or dismissal of the charges).

Rationale

One reason cited for prohibiting the practice is that requiring a charitable contribution is "tantamount to a solicitation of funds" for charitable organizations. *Maryland Advisory Opinion 127* (1999). See also *Michigan Advisory Opinion JI-48* (1992); *Michigan Advisory Opinion JI-55* (1992). In fact, the practice uses not only the prestige but also the power of the judicial office to raise funds for charities. *Florida Advisory Opinion 84-11*. See also *In the Matter of Storie*, 574 S.W.2d 369 (Missouri 1978). The Texas committee explained, "Judicial power should not be used to force litigants to provide gifts or services to specified charities, or to other organizations; judges should not be choosing among competing charities." *Texas Advisory Opinion 241* (1999).

The rule applies even if the donation is part of a plea bargain. Although it could be argued that in accepting a plea bargain, the judge is merely acquiescing in the imposition of the donation and not soliciting it, "regardless of whose idea the 'dona-

tion' was at its inception, it is the court's order that directs the 'donation' to a particular charity." *Maryland Advisory Opinion 127* (1999). See also *Missouri Advisory Opinion 172* (1998). In *McDougal*, the Texas Commission found that the judge implicitly approved the city attorney's selection of the public safety committee each time he granted the motion to dismiss. The Commission also found that, by approving donations to a charity that was assisting the city's police department, the judge risked creating the public perception that the department was in a special position to influence him.

Another reason cited for proscribing a charitable contribution in lieu of fines scheme is that imposition of such a sentence is not authorized by law. *Michigan Advisory Opinion JI-55* (1992). See also *Missouri Advisory Opinion 172* (1998) (absent a state statute or constitutional provision, a judge may not impose as a condition of probation payments to the county treasury, a county crime reduction fund, or a specified charity). In *McDougal*, the Texas Commission found that no matter how well intentioned, a judge may not create his own procedures for disposing of cases in a manner that is not prescribed by statute or case law. See also *United States v. John A. Beck Co.*, 770 F.2d 83 (U.S. Court of Appeals for the 6th Circuit 1985) (in price-fixing case, Sherman Act did not authorize sentence of fine, to be reduced by amounts paid to probationers or parolees hired by defendant within 18-month period for payment of fine). But see *Ratliff v. Indiana*, 596 N.E.2d 241 (Indiana Court of Appeals 1992) (defendants who agreed to make donations to a charity in plea agreements may not complain about the error they invited, particularly where they chose the recipient of their donations and no statute prohibits a charitable contribution option).

The absence of statutory authorization distinguishes payments to charities from the performance of community service as part of a sentence. See *Missouri Advisory Opinion 173* (1999). Moreover, by giving offenders the option of making a monetary contribution to a charity designated by the judge in lieu of performing a designated number of hours of community service work, the judge "is left open to the accusation that a particular community service alternative is intentionally more burdensome than required in order to encourage monetary contributions to the judge's charity." *Michigan Advisory Opinion JI-48* (1992). The judicial imposition of dollars for hours also discriminates in favor of more affluent offenders who have the means to buy out of community service work. *Michigan Advisory Opinion JI-48* (1992).

Sentences that impose charitable contribution requirements are also disapproved because they improperly divert money from the treasury of whichever government entity would otherwise receive the fine. See *In the Matter of Davis*, 946 P.2d 1033 (Nevada 1997). Finally, the practice of ordering donations to charities is popular with the public and frequently attracts press attention and, therefore, may create at least the appearance that the judge is improperly using the judicial sentencing authority to enhance his or her popularity and chances of being re-elected. See *In the Matter of Davis*, 946 P.2d 1033 (Nevada 1997).

Even payment to a government program, not a private charity, is prohibited. The Indiana committee stated that a judge should not permit plea agreements that provide, inter alia, that the defendant make a contribution to a victim fund established by local ordinance for the payment of expenses by the prosecutor associated with the program. *Indiana Advisory Opinion* (December 16, 1986). The committee reasoned:

[T]he structure of a court revenue generating activity could be such as to suggest something other than the impartial resolution of disputes by an unbiased tribunal. It is not hard to imagine revenue generating activities that would unduly suggest political favor, lend the prestige of the judicial office to a particular charitable effort, or even create the specter of judgment for sale.

Similarly, in rejecting a judge's proposal to order contributions by defendants to an organization that oversees a substance abuse fund, the Maryland committee recognized that the fund was "clearly a worthy cause," but expressed its concern that:

if this practice is allowed to continue, other counties may determine that they have their own special interests which could be advanced by a program funded by contributions of defendants. If the program were established or funded with the participation of the judiciary, the public may perceive that the judges were advocating a special interest. While most programs would undoubtedly be uncontroversial, there can be little doubt that there would come a day where some programs would generate discord and dissension. The judiciary might then be seen as an advocate or fund-raiser for the special interest.

Maryland Advisory Opinion 129 (2000). See also *Florida Advisory Opinion 85-13* (a judge may not order a contribution to a fund for the county probation department and community services); *In the Matter of Storie*, 574 S.W.2d 369 (Missouri 1978) (a judge may not order a contribution to a fund maintained by the judge to improve court facilities); *Missouri Advisory Opinion 172* (1998) (a judge may not

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order a contribution to a county treasury or crime reduction fund).


However, a judge may sentence a person to attend, for example, a victim impact panel sponsored by Mothers Against Drunk Driving even if a \$5 or \$10 payment to the organization is required. *Arizona Advisory Opinion 92-2*; *Louisiana Advisory Opinion 156* (1999). Although acknowledging that a judge may not sentence individuals to contribute either time or money to MADD, the Arizona committee stated, where there is a recognized agency in the community providing remedial services, a judge has the discretion to approve a plea agreement that uses that agency, and "a nominal fee to reimburse the sponsor for the costs of the program does not raise any particular ethical issue." How-

ever, the committee advised that a judge could not approve the defendant's participation if the judge had cause to believe "that the funds derived from the fees were directly routed to lobbying activities."

The Louisiana committee cautioned:

- If there is more than one program that would serve the educational or rehabilitative purpose, the defendant should choose rather than the judge.
- If there is only one program, the judge, court, and court staff should not have a "nonjudicial interest in, participate in, or otherwise operate or control the program alternative."
- The fee paid by the defendant should be paid directly to the

sponsor, not handled by the court.

- A defendant should not be denied access to the program for inability to pay.
- The fee paid by the defendant should be "limited solely to the reasonable cost of the defendant's participation in the program" and the contract for services between MADD and the court should specify that "no part of the fee may be allocated to the benefit of the organization's 'political agenda.'"
- The content of the program should be "limited to the educational or rehabilitative purposes prompting the sentence" and the contract should specify that the program contains "no political content." 

Juror Compensation and Charitable Donations

Concerns about judicial participation in fund-raising have led judicial ethics committees to advise judges not to encourage jurors to donate their pay to charities. For example, the Texas committee stated that judges should not advise jurors that they may make a voluntary donation of their jury pay to a "Children's Protective Services Fund." *Texas Advisory Opinion 147* (1992). The Utah committee advised that judges should not allow court clerks to distribute fliers to jurors that describe the court-appointed special advocates program and instructs jurors how they may donate the fee, pursuant to a statutory program. *Utah Informal Opinion 97-9*. The committee explained, "Prospective jurors anticipate playing a role in the judicial system and

do not anticipate being viewed as a funding source for a volunteer program, no matter how worthwhile."

The committee also noted:

- Because the fliers are distributed on court premises before jurors have been paid or excused, jurors may feel pressure to donate, particularly when CASA is a court-related program.
- "As the beneficiary of a court-sponsored donation arrangement, the CASA program appears to be a favored group of the judiciary."
- "As witnesses and participants in court proceedings, CASA volunteers may be perceived by litigants or counsel as carry-

ing special influence with the court."

See also Washington Advisory Opinion 95-18 (a court may not provide jurors with an option, by signing a form at the time of their jury service, to donate their compensation to a specific program for the homeless or to the city combined charities funds); *Florida Advisory Opinion 97-32* (a judge may not advise jurors of their options under a statute that permits jurors to donate their jury service compensation to an organization specified by a guardian ad litem program or to a domestic violence shelter).

The AJS web site (www.ajs.org/ethics11.html) has links to Texas, Utah, Washington, and Florida advisory opinions.

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sioners on Grievances and Discipline must determine whether there is probable cause that a violation of Canon 7 has occurred, and within eight days of the probable cause determination, three members of the Board conduct a formal hearing; within five days of the hearing, the hearing panel issues a report. Within five days of receiving a determination that a violation has occurred, the supreme court appoints a commission of five judges to consider the report on an expedited basis. The commission may enter a disciplinary sanction against the candidate; enter an order, enforceable by contempt of

court, that the candidate cease and desist from the conduct; impose a fine; or assess the costs of the proceedings against the candidate. The candidate may appeal a sanction to the supreme court. If the panel or commission determines that the grievance was frivolous or filed solely to obtain an advantage for a judicial candidate, it may enter any order considered proper and assess the costs of the proceeding against the complainant. Pursuant to these procedures, investigations of complaints about misconduct have begun even before an election takes place and resulted in opinions disci-

plining judicial campaign misconduct being issued shortly after election campaigns. See, e.g., *In re Carr*, 658 N.E.2d 1158 (Commission of Five Judges November 28, 1995) (conduct during November 1995 election campaign), *affirmed*, 667 N.E.2d 956 (Ohio 1996).

If you have information about judicial campaign oversight efforts in your state, please let the Center know by e-mail (cgray@ajs.org), fax (312-558-9175), or mail (180 N. Michigan Ave., Suite 600, Chicago, IL 60601).

Communicating with Voters: Ethics and Judicial Campaign Speech

To describe how judicial candidates can campaign in a way that allows voters to obtain relevant information without compromising the independence of the judiciary or the integrity of judicial decision-making, the American Judicature Society, under a grant from the State Justice Institute, has developed *Communicating with Voters: Ethics and Judicial Campaign Speech*. The curriculum consists of a videotape, study materials, an instructor's manual, a written self-study guide, and a CD-ROM self-

study guide.

The videotape is approximately 15 minutes long and has three scenarios in which professional actors portray a judge, her campaign manager, and her opponent in her bid for re-election.

The study materials examine cases in which candidates have been disciplined for violating the code during judicial campaigns, and analyze advisory opinions issued by state judicial ethics committees giving guidance in the area. In addition, the study materials analyze the cases deciding First

Amendment challenges to the restrictions in the code.

The instructor's manual, which includes the study materials, contains descriptions of adult education techniques that can be used to present a program that discusses the issues raised on the videotape. The written self-study guide incorporates the study materials and contains questions that guide individual judges through the issues judicial candidates confront. Users of the CD-ROM version navigate through the study materials using interactive techniques.

A copy of the curriculum will be distributed at no cost to each state's judicial conduct commission, ethics advisory committee, and judicial educator. The curriculum will be available for purchase by May 1, 2000. For information about purchasing the curriculum contact Rodney Wilson by e-mail at rwilson@ajs.org or phone 312-558-6900 ext. 147.

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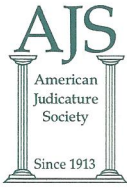
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17th National College on Judicial Conduct and Ethics

Chicago, Illinois October 26-28, 2000

The Center for Judicial Conduct Organizations will hold its 17th National College on Judicial Conduct and Ethics on October 26-28, 2000, at the Wyndham Chicago, 633 St. Clair, Chicago, Illinois. The hotel is on Chicago's Magnificent Mile, just one block east of Michigan Avenue. Registration for the College will be \$250. The rate for rooms will be \$169 a night, plus tax.

The National College provides a forum for commission members, staff, judges, and judicial educators to learn about and discuss professional standards for judges and current issues in judicial discipline. The College will begin Thursday evening with a reception. Friday through Saturday morning, there will be six sessions with three concurrent workshops offered during each session. Topics under consideration include: sanctions; issues for new members of conduct

commissions; issues for public members; appearance of impropriety; the Kline case from California; quick response procedures for campaign speech violations; ethics for judges and their families; handling difficult cases; fund-raising for civic and charitable organizations; ex parte communications—the subtle issues; investigative techniques; imposing conditions as part of sanctions—anger management programs and diversity training; adoption of the 1990 model code; judicial ethics on the Internet; and bifurcated judicial discipline systems.

More information will be provided in subsequent issues of the *Judicial Conduct Reporter*. If you want to be on the mailing list for information about the College, contact Clara Wells at cwells@ajs.org or 312-558-6900 ext. 103.