

## SUMMARY OF CHANGES MADE TO 2009 OHIO CODE OF JUDICIAL CONDUCT FOLLOWING THE AUGUST 2008 PUBLICATION

The following is a summary of the substantive changes made to the 2009 Code of Judicial Conduct following the August 2008 publication of a draft version of the proposed Code.

**Terminology**—The definition of “specialized docket” is revised to remove the phrase “in a nonadversarial setting” to recognize that some specialized dockets operate as adversarial programs.

**Rule 1.3**—Rule 1.3, Comment [4] is rewritten to allow a judge’s title and experience to be used in connection with a publication authored by the judge either as a means of identification or to demonstrate a subject-matter expertise.

**Rule 2.9**—Rule 2.9(A)(6) has been modified slightly to insert the term “administering” in place of “presiding,” thus conforming to the balance of the rule, and to insert the phrase “while in the specialized docket program.”

**Rule 2.11**—Comment [1] is revised to indicate that the receipt of a campaign contribution within the limits contained in Rule 4.4 is not, by itself, a disqualifying factor.

**Rule 3.1**—Rule 3.1(E) is amended to state that a judge may not make more than incidental use of court property or personnel in relation to any permissible extrajudicial activities, and not just those activities that are law-related. Comment [1] is revised to provide additional examples of permissible extrajudicial activities.

**Rule 3.11**—Rule 3.11(B) is modified to insert “independent contractor” in the list of prohibited business relationships. An exception to the prohibition against certain business relationships is added for writing and teaching activities.

**Rule 3.12**—Rule 3.12 is amended to move the standards of “reasonable” and “commensurate,” in relation to compensation for extrajudicial activities, from the comments to the rule. Comment [1] is modified accordingly and to delete specific examples of permissible compensation and extrajudicial activities.

**Rule 4.4**—Effective January 1, 2009, the Supreme Court increased the judicial campaign contribution limits by 15 percent to reflect the increase in the Consumer Price Index during the preceding four years. The revised contribution limits are included in Rules 4.4(J) and (K).

**Form of Citation, Effective Date, and Application**—Added to the Code is a section that prescribes the form of citation of the new Code, the March 1, 2009 effective date, and the application of the former and new Codes to judicial conduct occurring before, on, and after March 1, 2009.