

1 **RULE 1.2 Promoting Confidence in the Judiciary**

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3 A judge shall act at all times in a manner that promotes public confidence in the
4 *independence, integrity, and impartiality* of the judiciary, and shall avoid *impropriety* and the
5 appearance of *impropriety*.
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8 **Comment**
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10 [1] Public confidence in the judiciary is eroded by improper conduct and conduct that
11 creates the appearance of impropriety. This principle applies to both the professional and
12 personal conduct of a judge.
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14 [2] A judge should expect to be the subject of public scrutiny that might be viewed as
15 burdensome if applied to other citizens, and must accept the restrictions imposed by the code.
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17 [3] Conduct that compromises or appears to compromise the independence, integrity,
18 and impartiality of a judge undermines public confidence in the judiciary. Because it is not
19 practicable to list all such conduct, the rule is necessarily cast in general terms.
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21 [4] Judges should participate in activities that promote ethical conduct among judges
22 and lawyers, support professionalism within the judiciary and the legal profession, and promote
23 access to justice for all.
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25 [5] Actual improprieties include violations of law, court rules, or provisions of this
26 code. The test for appearance of impropriety is an objective standard that focuses on whether the
27 conduct would create, in reasonable minds, a perception that the judge violated this code,
28 engaged in conduct that is prejudicial to public confidence in the judiciary, or engaged in other
29 conduct that reflects adversely on the judge’s honesty, impartiality, temperament, or fitness to
30 serve as a judge.
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32 [6] A judge should initiate and participate in ~~community outreach~~ activities for the
33 purpose of promoting public understanding of and confidence in the administration of justice. In
34 conducting such activities, the judge must act in a manner consistent with this code. See Rules
35 3.1 and 3.7.
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38 **Comparison to Ohio Code of Judicial Conduct**
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40 Rule 1.2 substantially combines the first portion of Canon 2 and the provisions of Canon
41 1 of the Ohio Code.
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43 **Comparison to ABA Code of Judicial Conduct**
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45 Rule 1.2 is identical to Model Rule 1.2.
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47 Comment [5] is modified to be consistent with *In re Complaint Against Harper* (1996),
48 77 Ohio St.3d 211 and *Office of Disciplinary Counsel v. Medley* (2001), 93 Ohio St.3d 474.

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50 Comment [6] is modified to broaden the scope of activities that are encouraged.