

1 **RULE 3.1 Extrajudicial Activities in General**
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3 A judge may engage in extrajudicial activities, except as prohibited by *law* ~~or this code~~.
4 However, when engaging in extrajudicial activities, a judge shall not do any of the following:
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6 (A) Participate in activities that will interfere with the proper performance of the
7 judge’s judicial duties;
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9 (B) Participate in activities that will lead to frequent disqualification of the judge;
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11 (C) Participate in activities that would appear to a reasonable person to undermine the
12 judge’s *independence, integrity, or impartiality*;
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14 (D) Engage in conduct that would appear to a reasonable person to be coercive;
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16 (E) Make use of court premises, staff, stationery, equipment, or other resources,
17 except for incidental use for activities that concern the law, the legal system, or the
18 administration of justice, or unless such additional use is permitted by *law*.
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21 **Comment**
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23 [1] To the extent that time permits, and judicial independence and impartiality are not
24 compromised, judges are encouraged to engage in appropriate extrajudicial activities. Judges are
25 uniquely qualified to engage in extrajudicial activities that concern the law, the legal system, and
26 the administration of justice, such as by speaking, writing, teaching, or participating in scholarly
27 research projects. In addition, judges are permitted and encouraged to engage in educational,
28 religious, charitable, fraternal, or civic extrajudicial activities not conducted for profit, even
29 when the activities do not involve the law. See Rule 3.7. However, a judge should consider
30 whether engaging in a particular extrajudicial activity could give rise to an unlawful interest in a
31 public contract as prohibited by R.C. 2921.42.
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33 [2] Participation in both law-related and other extrajudicial activities helps integrate
34 judges into their communities and furthers public understanding of and respect for courts and the
35 judicial system.
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37 [3] Discriminatory actions and expressions of bias or prejudice by a judge, even
38 outside the judge’s official or judicial actions, are likely to appear to a reasonable person to call
39 into question the judge’s integrity and impartiality. Examples include jokes or other remarks that
40 demean individuals based upon their race, sex, gender, religion, national origin, ethnicity,
41 disability, age, sexual orientation, or socioeconomic status. For the same reason, a judge’s
42 extrajudicial activities must not be conducted in connection or affiliation with an organization
43 that practices invidious discrimination. See Rule 3.6.
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45 [4] While engaged in permitted extrajudicial activities, judges must not coerce others
46 or take action that would reasonably be perceived as coercive. For example, depending upon the

47 circumstances, a judge’s solicitation of contributions or memberships for an organization, even
48 as permitted by Rule 3.7(A), might create the risk that the person solicited would feel obligated
49 to respond favorably, or would do so to curry favor with the judge.

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Comparison to Ohio Code of Judicial Conduct

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54 Rules 3.1(A), (D), and (E) have no counterparts in the Ohio Code. Rules 3.1(B) and (C)
55 are found in Ohio Canon 2(A).

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Comparison to ABA Model Rules of Judicial Conduct

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59 With the minor addition made in Rule 3.1(E), Rule 3.1 is identical to Model Rule 3.1.
60 Comment [1] is modified to remind judges that it may not be permissible to engage in certain
61 extrajudicial activities given statutory prohibitions applicable to public officials. See Advisory
62 Opinion 2006-7 issued by the Board of Commissioners on Grievances and Discipline.