

1 **RULE 3.11 Financial, Business, or Remunerative Activities**

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3 (A) A judge may hold and manage investments of the judge and *members of the*
4 *judge’s family*.

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6 (B) A judge shall not serve as an officer, director, manager, general partner, advisor,
7 or employee of any business entity except that a judge may manage or participate in any of the
8 following:

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10 (1) A business closely held by the judge or *members of the judge’s family*;

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12 (2) A business entity primarily engaged in investment of the financial resources of the
13 judge or *members of the judge’s family*.

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15 (C) A judge shall not engage in financial activities permitted under divisions (A) and
16 (B) of this rule if they will do any of the following:

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18 (1) Interfere with the proper performance of judicial duties;

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20 (2) Lead to frequent disqualification of the judge;

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22 (3) Involve the judge in frequent transactions or continuing business relationships
23 with lawyers or other persons likely to come before the court on which the judge
24 serves;

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26 (4) Result in violation of other provisions of this code.

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28 (D) As soon as practicable without serious financial detriment, the judge shall divest
29 himself or herself of investments and other financial interests that might require frequent
30 disqualification or otherwise violate this rule.

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33 **Comment**

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35 [1] Judges are generally permitted to engage in financial activities, including
36 managing real estate and other investments for themselves or for members of their families.
37 Participation in these activities, like participation in other extrajudicial activities, is subject to the
38 requirements of this code. For example, it would be improper for a judge to spend so much time
39 on business activities that it interferes with the performance of judicial duties. See Rule 2.1.
40 Similarly, it would be improper for a judge to use his or her official title or appear in judicial
41 robes in business advertising or to conduct his or her business or financial affairs in such a way
42 that disqualification is frequently required. See Rules 1.3 and 2.11.

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44 [2] ~~As soon as practicable without serious financial detriment, the judge must divest~~
45 ~~himself or herself of investments and other financial interests that might require frequent~~
46 ~~disqualification or otherwise violate this rule.~~ [RESERVED]

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Comparison to Ohio Code of Judicial Conduct

Rule 3.11 is comparable to Ohio Canon 2(C)(1) to (4).

Comparison to ABA Model Code of Judicial Conduct

Rule 3.11 and Comment [1] are identical to Model Rule 3.11. Comment [2], which is comparable to Canon 2(C)(4), is moved to division (D) to emphasize in the text of the rule that a judge must divest himself or herself of financial interests that might lead to frequent disqualifications or are otherwise contrary to Rule 3.11.