

1 **RULE 3.9 Service as Arbitrator or Mediator**

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3 A judge shall not act as an arbitrator or a mediator or perform other judicial functions
4 apart from the judge’s official duties unless expressly authorized by *law*.

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7 **Comment**

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9 [1] This rule does not prohibit a judge from participating in arbitration, mediation, or
10 settlement conferences performed as part of assigned judicial duties. Rendering dispute
11 resolution services apart from those duties, whether or not for economic gain, is prohibited
12 unless it is expressly authorized by law.

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15 **Comparison to Ohio Code of Judicial Conduct**

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17 Rule 3.9 is substantially the same as Ohio Canon 4(E).

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19 **Comparison to ABA Model Code of Judicial Conduct**

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21 Rule 3.9 is identical to Model Rule 3.9.