

APPROVED FOR PUBLIC COMMENT

**Comment Period:
February 18 – April 29, 2011**

**PROPOSED PART 151 OF THE RULES OF THE CHIEF ADMINISTRATOR
OF THE COURTS**

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**PART 151. RULES GOVERNING THE ASSIGNMENT OF CASES
INVOLVING CONTRIBUTORS TO JUDICIAL CAMPAIGNS**

151.1 Assignments and Disqualification Involving Contributors to Judicial Campaigns

(a) No case shall be assigned to a judge or justice, other than in an emergency, or as dictated by the rule of necessity, or when the interests of justice otherwise require, if such assignment would give rise to a campaign contribution conflict as defined in subdivision (b).

(b) For purposes of this Part, a campaign contribution conflict shall exist where an attorney or party in a case has contributed \$2500 or more individually (or \$3500 or more collectively, by multiple plaintiffs or defendants, or by an attorney and his or her law firm) to the assigned judge or justice's campaign for elective office within two years prior to such assignment.

(c) An assignment in violation of this rule shall not diminish the authority of the assigned judge or give rise to any right, claim, or cause of action by any person.

(d) The Chief Administrator of the Courts, with the advice and consent of the Administrative Board of the Courts, shall take such further steps as may be necessary to give effect to this Part, including establishment of a timetable for its orderly implementation.

(e) A judge shall be mindful of sections 100.3(E)(1) and 100.3(E)(2) of the Rules of the Chief Administrator, given the ready public availability of records of campaign contributions through the internet and other current technologies and the impact of such information upon public perceptions of judicial neutrality.

NB: Rules of Judicial Conduct sections 100.3(E)(1) and (2) provide, in pertinent part, as follows:

100.3(E)(1):

A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where ...

100.3(E)(2):

A judge shall keep informed about the judge's personal and fiduciary economic interests, and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse and minor children residing in the judge's household.