

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order

2022-RL-082

Rules Relating to Judicial Conduct

FILED

December 8, 2022

**DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS**

The court amends the attached Supreme Court Rule 601B, Kansas Code of Judicial Conduct Rules 3.10 and 3.15, effective the date of this order.

Dated this 8th day of December 2022.

FOR THE COURT

A handwritten signature in blue ink that reads "Marla Luckert". The signature is written in a cursive style.

MARLA LUCKERT
Chief Justice

RULE 3.10

Practice of *Law*

A judge must not practice *law*. A judge may act pro se and may, without compensation, give legal advice to and draft or review documents for a *member of the judge's family*, but the judge is prohibited from serving as the family member's lawyer in any forum. This rule does not prohibit the practice of law pursuant to, and in the context of, a judge's military service.

COMMENT

[1] A judge may act pro se in all legal matters, including matters involving litigation and matters involving appearances before or other dealings with governmental bodies. A judge must not use the prestige of office to advance the judge's personal or family interests. See Rule 1.3.

[2] A judge will remain subject to conflict of interest and impropriety constraints. See Rule 2.11.

[3] A judge or court staff does not violate this rule by supervising a research attorney working for the Kansas Judicial Branch under a legal intern permit or a temporary permit to practice law. See Supreme Court Rules 715 and 718.

RULE 3.15

Reporting Requirements

(A) A judge must ~~shall~~ publicly report:

(1) compensation received for extrajudicial activities as permitted by Rule 3.12 and compensation received by the judge's spouse or *domestic partner*. Reportable compensation means income received for the personal services of the judge in an amount in excess of \$500 from any single payor or in excess of \$3,000 from all payors during the reporting period; income received for the personal services of the judge's spouse or *domestic partner* in an amount in excess of \$3,000 from a single source during the reporting period; and income derived from business; royalties, including ownership of mineral rights; annuities; life insurance; and contract payments.

(2) fees and commissions. A judge must ~~shall~~ report each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions the judge, the judge's spouse, or the judge's *domestic partner* received an aggregate in excess of \$3,000 during the reporting period. The phrase "client or customer" relates only to businesses or a combination of businesses. The term "business" means any corporation, association, partnership, proprietorship, trust, joint venture, ~~or a~~ governmental agency unit, ~~or a~~ governmental subdivision, and every other business interest, including ownership or use of land for income. The term "combination of businesses" means any two or more businesses owned or controlled directly by the same interests. The term "other business interest" means any endeavor that ~~which~~ produces income, including appraisals, consulting, authorships, inventing, or the sale of goods and services.

(3) ownership interests. A judge must ~~shall~~ report any corporation, partnership, proprietorship, trust, retirement plan, joint venture, and every other business interest, including land used for income, in which either the judge, the judge's spouse or *domestic partner*, dependent children, or dependent stepchildren have owned a legal or equitable interest exceeding \$5,000 during the reporting period.

(4) gifts and other things of value as permitted by Rule 3.13(C), unless the value of such items, alone or in the aggregate with other items received from the same source in the same calendar year, does not exceed \$200.

(5) reimbursement of expenses and waiver of fees or charges permitted by Rule 3.14(A), unless the amount of reimbursement or waiver, alone or in the aggregate with other reimbursements or waivers received from the same source in the same calendar year, does not exceed \$200. Expense reimbursement limited to the actual cost of travel, food, and lodging reasonably incurred by the judge and, where appropriate to the

occasion, by the judge's spouse or *domestic partner* should be reported as a gift. Any payment in excess of such an amount is to be reported as compensation.

(6) positions. A judge must ~~shall~~ report any business, organization, including a labor organization, educational or other institution, and ~~or~~ entity in which the judge now holds or has held a position of officer, director, associate, partner, proprietor, trustee, guardian, custodian, or similar *fiduciary*, representative, employee, or consultant at the time of filing this report or during the reporting period.

(7) liabilities. A judge must ~~shall~~ report all of the judge's, the judge's spouse's or *domestic partner's*, dependent children's, and dependent stepchildren's liabilities to any creditor that ~~which~~ exceeded \$10,000 at any time during the reporting period except for any liability owed to a spouse, parent, brother, sister, or child; any mortgage secured by real property that ~~which~~ is a personal residence of the judge or the judge's spouse or *domestic partner*; any loan secured by a personal motor vehicle, household furniture, or appliances that does not exceed the purchase price of the item securing the liability; any student loans or loans from a lending institution in its regular course of business on the same terms generally available to persons who are not judges; any revolving charge account, the balance of which did not exceed \$10,000 at the close of the reporting period; and political campaign funds.

(B) A judge must ~~shall~~ report annually the information listed above in (A)(1) through (7) on a form reviewed ~~provided~~ by the Commission on Judicial Conduct and approved by the Supreme Court. The judge's report for the preceding calendar year must ~~shall~~ be submitted as a public document with the Office of ~~the~~ Judicial Administration on or before April 15 of each year.