

## LIST OF ADVISORY OPINIONS

The Arizona Supreme Court organized the Judicial Ethics Advisory Committee in 1976, and the committee issued its first formal opinion that year. This is a list of all of the committee's opinions, which can be accessed directly by clicking on the opinion numbers.

- 76-01 Limits on political contributions; board memberships; and speaking engagements
- 76-02 Responsibilities when spouse is active in political offices organizations
- 76-03 Campaign contributions to non-judicial political candidates
- 77-01 Disqualification requirements in cases involving law firm that employs child.
- 78-01 Organization and commencement of fund-raising by campaign committees
- 78-02 Contributions to an organization advocating a judicial salary increase
- 79-01 Interpretation of omission in Canon 3A(7) of the 1972 ABA Model Code
- 79-02 Treatment of compensation for college teaching by new superior court judge
- 80-00 No advisory opinions were issued in 1980
- 81-01 Contract and compensation for writing book on civil or criminal practice and procedure
- 82-01 Election of part-time judge to board of directors of sanitation district
- 82-02 Practice of law by full-time justice of the peace
- 83-00 No advisory opinions were issued in 1983
- 84-01 Potential conflicts of interest when judge approves payments for services provided by spouse's business
- 85-01 Disqualification considerations where spouse is on staff of public defender or law enforcement agency, or where secretary is married to sheriff
- 86-00 No advisory opinions were issued in 1986
- 87-01 Role of incumbent judges in the merit selection of candidates for judicial office
- 88-01 Applicability of canons to practicing lawyers who serve as part-time or pro tem judges
- 88-02 Membership on statutory committee or state hospital advisory board
- 88-03 Limitation on judicial officers holding other public positions
- 88-04 Propriety of conducting an educational seminar in another state involving an actual settlement conference
- 88-05 Extent to which judges or clerks may provide assistance in the preparation of forms and pleadings
- 88-06 Fee sharing with privately-owned defensive driving school; fees for weddings

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- 89-01 Member of public defender's staff sitting as pro tem justice of the peace
- 89-02 Propriety of amicus curiae briefs filed by judges' association
- 89-03 Publication of newsletter summarizing slip opinions of appellate court
- 90-01 Affidavit related to legal malpractice in action over which judge presided
- 90-02 Purchase of tickets to support fund-raising activity of state legislator
- 90-03 Referrals to defensive driving school in which a judicial officer, family member or court employee has a financial interest
- 90-04 Referrals to defensive driving school in which a volunteer hearing officer has a financial interest
- 90-05 Gifts to judges and staff from counsel or other professional associates
- 90-06 Ethical constraints on lawyers serving as hearing officers or commissioners
- 90-07 Publication of subscription newsletter summarizing appellate court opinions
- 90-08 Avoiding the appearance of impartiality in cases involving former law partner and friend
- 90-09 Disqualification in superior court cases where judicial colleague is a litigant (reissued)
- 90-10 Membership on board of non-profit mental health organization
- 90-11 Membership on governor's statewide task force or select commission
- 91-01 Disqualification requirements in cases where spouse is on prosecutor's staff
- 91-02 Use of title on stationery and role in fund raising for bar associations
- 91-03 Application of canon prohibiting the practice of law to a judge's law clerk
- 91-04 Membership on committee organized to reduce or eliminate drug use by youth
- 91-05 Voluntary testimony concerning the administrative performance of a presiding judge
- 91-06 Constraints on accepting waivers of membership fees in private clubs
- 91-07 Acting as representative and trustee of the estate of a close personal friend
- 92-01 Judicial responsibilities when family member oversees agency that provides supervised visitation in custody cases
- 92-02 Imposition of sentencing alternatives that generate funds for private, non-governmental organizations
- 92-03 Application of Code of Judicial Conduct to administrative law judges
- 92-04 Gift from counsel of self-published book on medical malpractice

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- 92-05 Membership on bank board of directors
- 92-06 Letters of recommendation for applicants to government positions
- 92-07 Membership on advisory commission for board of legal specialization
- 92-08 Membership on committee that recommends funding for court-related programs
- 92-09 Ownership of complimentary law books
- 92-10 Effect of persistent failure to enforce rules of procedure
- 92-11 Potential conflicts when appearing attorney belongs to the same law firm as attorney representing the judge in an unrelated case
- 92-12 Indirect endorsements of computer products or programs
- 92-13 Status of court employees who run for or are elected to public office<sup>1</sup> (reissued)
- 92-14 Restrictions on employment of part-time superior court commissioners
- 92-15 Reporting illegal activities disclosed during court proceedings (reissued)
- 92-16 Ethical constraints on lawyers serving as pro tem judges (reissued)
- 92-17 Cosponsoring professional associations with law enforcement officials
- 93-01 Participation in religious organizations or services
- 93-02 State judges serving as visiting judges on Indian tribal courts
- 93-03 Potential conflicts of interest involving pro tempore appellate court judges
- 93-04 Effect of judicial appointment on position as elected tribal official
- 93-05 Acceptance of complimentary legal publications.
- 94-01 Status of court employees who hold political office<sup>1</sup>
- 94-02 Superior court employee serving as pro tempore justice of the peace
- 94-03 Justice of the peace serving as a member of a sheriff's posse
- 94-04 Judicial participation in charity auction
- 94-05 Propriety of a judge engaging in a multi-level distribution business
- 94-06 Propriety of accepting inducements offered by service providers to obtain contracts with the courts
- 94-07 Judicial membership and participation in scouting programs

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The Supreme Court Stayed Opinions 92 13 and 94 01 on May 27, 1994, pending consideration and adoption of a Code of Conduct for Court Employees. *See* Administrative Order No. 94 34. In July 1996, the Supreme Court Adopted a Code of Conduct for Judicial Employees. *See* Administrative Order 96 33

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- 94-08 Ethical constraints on public lawyers serving as pro tem judges
- 94-09 Membership on statutorily created advisory council
- 94-10 Staff participation in a volunteer police assistance program
- 94-11 Court employees serving as pro tempore judges in justice or municipal courts
- 94-12 Propriety of hearing matters involving an attorney married to a court clerk
- 94-13 Judicial membership in a junior league or a boys chorus auxiliary
- 94-14 Judicial membership on a school board
- 94-15 Using court letterhead to solicit funds for charitable organizations
- 94-16 Participation in educational activities conducted by lawyers' committee
- 94-17 Membership on editorial board of a medical magazine
- 95-01 Membership on nominating committee of a homeowners association
- 95-02 Membership in criminal defense organizations and chamber of commerce
- 95-03 Ethical constraints on the practice of law by full-time justice of the peace and former public defender
- 95-04 Writing articles about judicial process for publication in local newspapers
- 95-05 Membership on the board of directors of a community council
- 95-06 Spouse of city council member serving as a traffic hearing officer
- 95-07 Disclosing political party affiliation when campaigning for judicial office
- 95-08 Ethical constraints on public lawyers serving as pro tem judges (supplement to Opinion 94-08)
- 95-09 Participation in state bar's "Silent Partner" program
- 95-10 Hiring court employees married to law enforcement officers
- 95-11 Disqualification in cases involving former law partners
- 95-12 Consequences of renting properties to attorneys
- 95-13 Attendance at receptions sponsored by private association of attorneys
- 95-14 Ex parte communications with special masters and court-appointed attorneys
- 95-15 Participating with police in joint project to reduce outstanding warrants
- 95-16 Running for election to non-partisan, charter government committee
- 95-17 Criminal defense attorneys serving as pro tem judges
- 95-18 Notifying prosecutor of impending deadline for filing criminal complaint

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- 95-19 Disqualification in cases where judge's spouse supervises other prosecutors
- 95-20 Soliciting contributions from peers
- 95-21 Endorsing or writing a letter of support for a private counseling service
- 96-01 Court verification of police overtime records
- 96-02 Propriety of judge holding leadership position in association of counties
- 96-03 Exception to disqualification rule in cases where a judicial colleague is a litigant
- 96-04 Membership in association of lawyers that promotes political change
- 96-05 Membership on the board of directors of a non-profit corporation that operates a charter school
- 96-06 Endorsing or contributing to the campaign of a candidate for judicial office
- 96-07 Propriety of a judge signing nominating petitions
- 96-08 Participation in activities relating to judicial reform proposals
- 96-09 Propriety of judge appearing in a television commercial to endorse a ballot proposition
- 96-10 Membership on regional board of state historical society
- 96-11 Propriety of responding to surveys from organizations that endorse political candidates
- 96-12 Endorsement of a judicial candidate by a law enforcement official
- 96-13 Service as church usher in light of prohibition against solicitation of donations
- 96-14 Limitations on disqualification requirements
- 96-15 Reserve police officer serving as volunteer hearing officer in justice court
- 96-16 Assigning fines collection to employees whose performance ratings are tied to quotas
- 96-17 Membership on board of non-profit corporation that provides mental health services to court
- 97-01 Endorsing or writing letters of support for court-related projects
- 97-02 Disqualification when members of judicial merit commission appear before magistrates
- 97-03 Judicial membership on a domestic violence commission sponsored by local governments
- 97-04 Continuing participation by judge in corporation organized before taking the bench
- 97-05 Participating in educational seminars where opinions may be solicited from candidates for judicial office

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- 97-06 Reconsideration of Opinion 97-03
- 97-07 Disqualification because of loan from law firm's profit sharing plan
- 97-08 Using court staff for personal errands
- 97-09 Limited role of judge in applying for donations or grants as an officer of a charitable organization
- 97-10 Solicitation of contributions for a juvenile restitution fund
- 97-11 Use of police report prior to admission into evidence
- 98-01 Application of code to candidates for merit selection positions
- 98-02 Disqualification considerations when complaints are filed against judges
- 98-03 Limitations on the campaign conduct of pro tem judges
- 98-04 Support of a nonpartisan ballot proposition by judges association
- 98-05 Role of magistrate in selecting replacement for council member who resigns
- 98-06 Propriety of pro tem judge serving as private arbitrator or mediator in the same case (reissued)
- 99-01 Solicitation of support from attorneys for appointment to higher judicial office
- 99-02 Fundamental incompatibility of judicial position and law enforcement certification
- 99-03 Use of police report for pretrial release determination (clarification of Opinion 97-11)
- 99-04 Propriety of officiating at athletic events
- 99-05 Propriety of superior court judge serving as juvenile tribal court judge
- 00-01 Disqualification considerations when child of presiding criminal judge is on prosecution staff
- 00-02 Participation in educational programs funded by businesses, foundations and other non-governmental entities (reissued)
- 00-03 Employment of law clerk by law firm and payment of bar dues
- 00-04 Judicial evaluation of attorneys
- 00-05 Participation by judges in volunteer work with the Boy Scouts of America
- 00-06 Judicial participation in fund-raising activities (omnibus opinion)
- 00-07 Immediate ethical considerations upon becoming a judge
- 00-08 Listing judicial positions in the yellow pages
- 01-01 Contacting or speaking with members of a discharged jury (reissued)
- 01-02 Ethics issues in cases involving prospective employers of law clerks

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- 02-01 Judicial employee participation in civic life
- 02-02 Payment of bar exam costs by law firm prior to judicial clerkship
- 02-03 Communications between court and counsel
- 02-04 Judicial evaluation of attorneys
- 02-05 Disqualification concerns when the attorney general's office represents judges
- 02-06 Ethical constraints on lawyers serving as pro tem limited jurisdiction judges
- 02-07 Municipal official serving as part-time pro tem judge in adjoining jurisdiction
- 02-08 Judicial participation in selection process for city prosecutor and chief of police
- 02-09 Propriety of assigning defendants to supervised probation provided by spouse's company
- 03-01 Retired judge available for assignment serving as an expert witness
- 03-02 Sponsoring a judge for a day program (reissued)
- 03-03 Guidelines for reporting judicial misconduct (reissued)
- 03-04 Justice of peace serving as safety officer for volunteer fire department
- 03-05 Participation of judges, family members, and judicial employees in political activities
- 03-06 Use of pro tem judge's title on legal stationery and in advertising
- 03-07 Ethical limitations on court employee's service as a certified legal document preparer
- 03-08 Participation in law enforcement training programs and criminal law seminars
- 04-01 Charitable activities of court employees
- 04-02 Disqualification in cases in which an attorney is the judicial candidate in opposition to the judge.
- 04-03 Soliciting or accepting contributions to support a court-sponsored symposium.
- 04-04 Participation as guest of honor in fund-raising activity.
- 05-01 Disqualification in cases involving chairman of judge's campaign committee.
- 05-02 Contact with law enforcement agencies to determine status of original citations.
- 05-03 Campaigning and fund raising in retention elections.
- 05-04 Limitation on court employee serving as volunteer crisis worker.
- 06-01 Disqualification of former city prosecutor appointed to city court bench.
- 06-02 Prompt disposition of judicial matters.
- 06-03 Accepting award from activist organization.

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- 06-04 Absent judge serving in another court.
- 06-05 Responding to political surveys and making public statements about disputed political and legal issues.
- 06-06 Serving as honorary chair of campaign to raise funds for public law school.
- 07-01 Propriety of pro tempore limited jurisdiction judge practicing criminal law in superior court.
- 08-01 Political activities of judicial candidates.
- 08-02 Disqualification of a judge when financial interest is involved.
- 08-03 Court participation in Silent Witness Program
- 09-01 Accepting Nominal Gifts From Conference Sponsors
- 09-02 Training on Equipment Used in Law Enforcement
- 10-01 Participants in Political Campaigns Outside State and Contributions to Political Candidates
- 10-02 Using Judicial Titles and Robes in Election Campaigns
- 10-03 Disqualification Requirements When Judge is Related to Local Sheriff
- 10-04 Disqualification Considerations When Spouse Works as Secretary for Public Defender
- 11-01 Facilitation of Donations of Arbitration Fees by Court to Law-Related Organizations
- 12-01 Volunteer Hearing Officers Availability to Serve in Light of Interests in Companies with Cases Pending in Their Courts
- 12-02 Pro Tem Part-Time Judge Need to Resign to Run for Non-Judicial Elective Office; Use of Photos as Judge in Campaign for Non-Judicial Elective Office.
- 14-01 Use of Social and Electronic Media by Judges and Judicial Employees
- 15-01 Judicial Obligation to Perform Same-Sex Marriages
- 16-01 Threats: Taking Appropriate Action; Disqualification
- 16-02 The Use of Judicial Titles and Photographs by Part B Judges