

# MAINE STATE LEGISLATURE

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**COMMITTEE ON  
JUDICIAL RESPONSIBILITY  
AND  
DISABILITY**

Established July 5, 1978

by order of

**SUPREME JUDICIAL COURT OF MAINE**

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COMMITTEE ON JUDICIAL RESPONSIBILITY AND DISABILITY

P.O. BOX 8058

PORTLAND, MAINE 04104-8058

BOOKLET UPDATE  
January 15, 1985

The following amendments are to be inserted in the Committee booklet on pages 1-1, 1-2 and 1-3 respectively.

- 2A. Alternate members shall be appointed by the Supreme Judicial Court, each for a term of six years as follows:
- A. One alternate member who shall be either an active or an active retired justice of the Superior Court who shall serve whenever a member of the Committee from that Court has recused himself or is otherwise unavailable to participate in Committee action;
  - B. One alternate member who shall be a judge or an active retired judge of the District Court who shall serve whenever a member of the Committee from that Court has recused himself or is otherwise unavailable to participate in Committee action;
  - C. One alternate member who shall be an attorney at law admitted to practice in the State of Maine who shall serve whenever an attorney member has recused himself or is otherwise unable to participate in Committee action; and
  - D. One alternate member who shall be a representative of the general public of the State of Maine and not an attorney or a member of the judiciary who shall serve whenever a public member of the Committee has recused himself or is otherwise unable to participate in Committee actions.

The public and attorney alternate members shall be appointed by this Court upon the recommendation of the Governor. Added eff. December 1, 1984

6A. After receipt of a complaint, the Committee may direct its Executive Secretary to seek informal correction of any judicial conduct or practice, which the Committee determines may create an appearance of judicial misconduct. Any recommendation from the Committee or its Executive Secretary may be directed to the Chief Justice or other appropriate official of the Judicial Department. A recommendation for informal correction may be made at any stage of the proceedings but shall not necessarily preclude further action on the complaint. The Committee may in its discretion inform the complainant of any action taken under this provision. Added eff. December 11, 1981.



8. All proceedings before the Committee shall be confidential, and no information shall be published by the Committee unless by order of the Supreme Judicial Court; except that:

(1) Upon written request of the Governor or the Legislature's Joint Standing Committee on the Judiciary or other appropriate legislative committee in connection with the consideration of the appointment of a person who is or has been a judge, the Committee shall provide information on any complaints made against that judge and the Committee's disposition thereof; and

(2) Upon request of the person whose conduct is being investigated, or by majority vote of the Committee, after giving that person an opportunity to express his views on the question, any hearing held pursuant to paragraph 7 of this order shall be public. Added eff. November 15, 1983

#### COMMITTEE MEMBERS

Patricia M. Collins, Caribou, Chair  
Charles W. Allen, Portland  
Joseph B. Campbell, Augusta  
Roger C. Lambert, North Windham  
Margaret J. Tibbetts, Bethel  
Justice Morton A. Brody, Waterville  
Judge L. Damon Scales, Jr., Lewiston

Merle W. Loper, Portland, Executive Secretary



Colin C. Hampton, Cape Elizabeth, *Chairman*

David D. Gregory, Portland, *Secretary*

Patricia M. Collins, Caribou

Edward I. Gross, Bangor

Judge Arthur J. Nadeau, Caribou

Charles F. Phillips, Auburn

Justice Daniel E. Wathen, Augusta

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James H. Page . . . . . 1978-1979

Justice Harry P. Glassman . . . . . 1978-1979

Justice David G. Roberts . . . . . 1979-1980





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## INTRODUCTION

The Committee on Judicial Responsibility and Disability was established on July 5, 1978, by the Supreme Judicial Court of Maine pursuant to statutory authority enacted by the Maine State Legislature. The Committee is bound by the provisions of the Court's order.

The Committee is responsible for receiving complaints of misconduct and mental or physical disability against any judge on the Supreme Judicial Court, the Superior Court, the District Court, the Probate Courts, or the Administrative Court.

The Committee has the power to investigate complaints or initiate investigations on its own motion, to hold hearings, to make findings and conclusions, and to report to the Supreme Judicial Court incidents of serious misconduct and disability together with recommendations of action by the Court. Judicial misconduct is defined by the Code of Judicial Conduct, which is binding on all state judges. The Committee is not a substitute for appeal. Alleged errors in judgment, erroneous exercise of discretion, or other matters which can form the basis for appellate review are generally outside the scope of the Committee's authority. The Committee has no authority to reverse or alter a judge's decision or to recommend discipline of a judge on the basis of an alleged error.

The aim of any proceedings before the Committee is to reach a decision on appropriate action to be recommended to the Supreme Judicial Court whenever the Committee finds that serious misconduct or disability has been established. It is not the purpose of the Committee to provide redress or a remedy to any complainant. A complainant is simply one who brings a matter to the attention of the Committee. Thereafter, the matter is in the hands of the Committee to deal with in accordance with the Committee's rules. A complainant may or may not be called as a

witness. Notice will be given to a complainant of any decision to dismiss a matter or to report to the Court.

Upon receipt of a complaint, the Committee will first decide whether the complaint is of a type within the Committee's authority. If it is not, the matter will be dismissed and the complainant and judge so notified. If a complaint is of a type within this Committee's authority, the Committee will decide whether there is sufficient cause for proceeding to an investigation and hearing. Committee proceedings will be conducted in accordance with the Rules of the Committee.

The Committee is required to give a copy of a complaint to the judge complained against and will do so whenever a complaint states a matter within the Committee's authority. The Committee's rules also require that notice be given to a judge of complaints received and action taken.

All proceedings before the Committee are confidential, and no information may be published by the Committee unless by order of the Supreme Judicial Court. All persons connected with any matter before the Committee will be requested to respect the confidentiality of Committee proceedings. Should the Committee make a report to the Court, then the Court may commence public proceedings. The Committee's work is preparatory to action by the Court.

# ESTABLISHMENT OF COMMITTEE ON JUDICIAL RESPONSIBILITY AND DISABILITY

Effective July 5, 1978

All of the Justices concurring therein, it is hereby ORDERED, to be effective on July 5, 1978, as follows:

1. There is hereby established a Committee on Judicial Responsibility and Disability consisting of seven members appointed by the Supreme Judicial Court. Two members shall be either active or active retired justices of the Superior Court, active or active retired judges of the District Court, or active judges of probate. At no time shall the two judiciary members be members of the same court. Two members shall be attorneys at law admitted to practice in the State of Maine, and three members shall be representatives of the general public of the State of Maine and shall not be attorneys or members of the judiciary. The public and attorney members shall be appointed by the Supreme Judicial Court upon the recommendation of the Governor.

2. The term of each member shall be for six years, except that initial appointments shall be as follows in order to achieve staggered terms:

A. One judiciary member shall be appointed for a six-year term, and the other judiciary member shall be appointed for a four-year term;

B. One attorney member shall be appointed to a four-year term, and one attorney member shall be appointed to a two-year term;

C. One public member shall be appointed to a six-year term, the second public member shall be appointed to a four-

year term, and the third public member shall be appointed to a two-year term;

D. No member shall serve more than one term in office, provided that the members appointed to serve two years or less of an initial or unexpired term shall not be considered to have served the equivalent of a term for purposes of this section.

3. The Committee may establish such offices, employ an Executive Secretary and counsel, and make arrangements for such secretarial and other assistance as the Committee shall reasonably require.

4. The Committee shall have an operating budget approved by the Chief Justice of the Supreme Judicial Court, and expenses of the Committee shall be paid from appropriations of funds to the Judicial Department through the budget of the state courts.

5. The Supreme Judicial Court shall appoint a chairperson of the Committee and, from time to time, the Committee may designate from its members a vice chairperson and secretary. A quorum of the Committee shall consist of five members, and no action shall be taken by the Committee except by vote of a majority of the full Committee.

6. The Committee shall receive complaints concerning the performance or misconduct of any judge on the Supreme Judicial Court, the Superior Court, the District Court, the Probate Courts, or the Administrative Court. Upon receipt of any complaint, the Committee or its designee shall communicate the complaint to the person complained against and shall provide such person with a copy of any written complaint. The person complained against shall have reasonable opportunity to respond. The Committee shall conduct such further investigation as it deems fit. If the Committee determines that the complaint is unfounded, the Committee shall dismiss the matter, notifying any complainant of its actions.

7. The Committee shall hold a hearing at the request of a majority of the members of the Committee or of the person whose conduct is being investigated. At such hearing the person under investigation shall be entitled to counsel. The Committee shall have subpoena power, and every witness shall be sworn. The hearing shall be had before the Committee with a record.

8. All proceedings before the Committee shall be confidential, and no information shall be published by the Committee unless by order of the Supreme Judicial Court.

9. If after the completion of the Committee's investigation and hearing, if any, the Committee determines (i) that the person under investigation has been convicted of a crime, the nature of which casts into doubt his continued willingness to conform his conduct to the Code of Judicial Conduct as applicable or (ii) that in fact the person has violated the Code as applicable and that the violation is of a serious nature so as to warrant formal disciplinary action, the Committee shall file a report of its findings with the Supreme Judicial Court together with a statement of the alleged charges, a recommendation as to action by the Court, the transcript of any hearing, and any exhibits considered by the Committee. Any further proceedings shall be before the Court.

10. If after completion of the Committee's investigation and hearing, if any, the Committee determines that the person under investigation is suffering from a disability which materially affects his or her ability to perform his or her duties as a judge, the Committee shall file a report of its findings with the Supreme Judicial Court, together with a recommendation as to action, the transcript of any hearing, and any exhibits considered by the Committee.

11. The Committee shall have no responsibility or authority with respect to retirement by reason of failing health initiated by the judge or on his or her behalf.



It is further ordered that this ORDER be published in the  
*Maine Reporter*.

Dated: June 26, 1978.

VINCENT L. McKUSICK  
*Chief Justice*

CHARLES A. POMEROY

SIDNEY W. WERNICK

JAMES P. ARCHIBALD

THOMAS E. DELAHANTY

EDWARD S. GODFREY

DAVID A. NICHOLS  
*Associate Justices*

AMENDMENT OF ORDER ESTABLISHING  
COMMITTEE ON JUDICIAL  
RESPONSIBILITY AND DISABILITY

Effective August 21, 1978

All of the Justices concurring therein, it is hereby ORDERED, to be effective on August 21, 1978, that the Order of this Court dated June 26, 1978, Docket No. SJC-109, establishing the Committee on Judicial Responsibility and Disability, be and it hereby is amended by adding thereto following paragraph 5 a new paragraph 5A reading as follows:

5A. The Committee shall make public any rules of general applicability adopted by it for the conduct of its operations under this Order.

It is further ORDERED that this Order be published in the *Maine Reporter*.

Dated: August 21, 1978.

VINCENT L. McKUSICK  
*Chief Justice*  
CHARLES A. POMEROY  
SIDNEY W. WERNICK  
JAMES P. ARCHIBALD  
THOMAS E. DELAHANTY  
EDWARD S. GODFREY  
DAVID A. NICHOLS  
*Associate Justices*

**RULES OF THE COMMITTEE  
ON  
JUDICIAL RESPONSIBILITY  
AND DISABILITY**

**Rule 1. Receipt and Review of Complaint; Investigation.**

A. Complaints of judicial misconduct and disability shall be made in writing and shall be signed by the complainant. Each complaint received shall be assigned a number and a docket, and receipt of the complaint shall be acknowledged.

B. The Committee shall consider each complaint received to determine whether it is of a type within the Committee's authority.

(i) If the Committee is unable to make that determination, it may request additional information.

(ii) If the Committee determines that a complaint is not of a type within the Committee's authority, it shall dismiss the complaint, notify the complainant of its decision, and notify the judge of the nature of the complaint and the Committee's decision.

(iii) If the Committee determines that a complaint is within the Committee's authority, it shall communicate the complaint to the judge complained against by providing him with a copy of the written complaint and shall request a written response. The Committee may conduct such investigation of the matter as it deems appropriate. If the Committee determines that the complaint is unfounded or frivolous or otherwise provides insufficient cause for proceeding, it shall dismiss the complaint and notify the complainant and the judge of its decision.

C. The Committee may initiate an investigation of a matter within its authority on its own motion.

**Rule 2. Hearing.**

A. The Committee shall hold a hearing at the request of a majority of its members or of the judge whose conduct is being investigated. Such hearing shall be had before the Committee with a record. The Committee shall have subpoena power, and every witness shall be sworn.

B. The Committee may engage counsel to present the matter before it. The judge shall be entitled to be present at the hearing, to be represented by counsel, to introduce evidence, and to examine and cross-examine witnesses. Both counsel may subpoena witnesses under the Committee's authority.

C. The Committee counsel shall issue to the judge a written notice containing a statement of alleged misconduct, including reference to any section of the Code of Judicial Conduct alleged to have been violated, or alleged disability. The notice shall state alleged facts upon which such charges are based. The Committee counsel shall make available to the judge all information concerning such charges as the Committee has acquired.

D. Within thirty days after receipt of notice, the judge shall file a written response setting forth any admission, denial, affirmative defense, or other matter upon which he intends to rely at the hearing.

E. Discovery shall be allowed under the Committee's direction upon request to and approval of the Committee.

F. Evidence shall be admitted if it is of a kind upon which reasonable persons are accustomed to rely in the conduct of serious affairs. The Committee shall be guided on evidentiary matters by the Maine Rules of Evidence.

G. The Chairman of the Committee or his designee may meet with counsel prior to hearing for the purpose of framing the issues, identifying areas of agreement, and otherwise simplifying the hearing.

H. After hearing a matter, the Committee shall decide whether it is satisfied by a preponderance of the evidence that:

(i) the judge has violated the Code of Judicial Conduct and that the violation is of such a serious nature as to warrant formal disciplinary action; or

(ii) the judge has been convicted of a crime the nature of which casts into doubt his continued willingness to conform his conduct to the Code of Judicial Conduct; or

(iii) the judge is suffering from a disability which materially affects his ability to perform his duties as a judge.

I. The Committee shall make findings of fact and shall draw conclusions of law. If the Committee decides that a charge has not been established, it shall dismiss the matter and provide written notice of its decision to the judge and any complainant. If the Committee decides that a charge has been established, it shall report its decision to the Supreme Judicial Court and shall provide to the judge and any complainant written notice of its decision to report to the Court.

**Rule 3. Report to the Supreme Judicial Court.** A report to the Supreme Judicial Court shall include a statement of the alleged charges, a statement of the Committee's findings of fact and conclusions of law, and a recommendation of action by the Court. A copy of such report shall be provided to the judge. The report shall be accompanied by the complete record of the matter before the Committee including the transcript of any hearing and any exhibits considered by the Committee. Any further proceedings shall be before the Court.

Rule 4. **Ancillary Orders.** The Committee may make such orders as may be necessary in aid of its authority.

Rule 5. **Quorum.** No action may be taken by the Committee except by a majority vote of the full Committee. A quorum of the Committee shall consist of five members.

Rule 6. **Confidentiality.** All proceedings before the Committee shall be confidential, and no information may be published by the Committee unless by order of the Supreme Judicial Court. All persons concerned with any matter before the Committee shall be requested to respect the confidentiality of Committee proceedings.

Rule 7. **Annual Report.** The Committee shall report annually to the Supreme Judicial Court summarizing its activities.

Rule 8. **Amendment.** These rules are subject to revision by the Committee.

**CODE OF JUDICIAL CONDUCT  
APPLICABLE TO JUSTICES OF THE  
SUPREME AND SUPERIOR COURTS AND  
JUDGES OF THE DISTRICT COURT**

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**Adopted February 26, 1974**

**Effective April 1, 1974**

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**CANON 1. A JUDGE SHOULD UPHOLD THE  
INTEGRITY AND INDEPENDENCE OF THE  
JUDICIARY**

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.

**CANON 2. A JUDGE SHOULD AVOID IMPROPRIETY  
AND THE APPEARANCE OF IMPROPRIETY IN  
ALL HIS ACTIVITIES**

A. A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

B. A judge should not allow his family, social, or other relationships to influence his judicial conduct or judgment. He should not lend the prestige of his office to advance the private interests of others; nor should he convey or permit others to

convey the impression that they are in a special position to influence him. He should not testify voluntarily as a character witness.

**CANON 3. A JUDGE SHOULD PERFORM THE  
DUTIES OF HIS OFFICE IMPARTIALLY AND  
DILIGENTLY**

The judicial duties of a judge take precedence over all his other activities. His judicial duties include all the duties of his office prescribed by law. In the performance of these duties, the following standards apply:

**A. Adjudicative Responsibilities.**

(1) A judge should be faithful to the law and maintain professional competence in it. He should be unswayed by partisan interests, public clamor, or fear of criticism.

(2) A judge should maintain order and decorum in proceedings before him.

(3) A judge should be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom he deals in his official capacity, and should require similar conduct of lawyers, and of his staff, court officials, and others while subject to his direction and control.

(4) A judge should accord to every person who is legally interested in a proceeding, or his lawyer, full right to be heard according to law, and, except as authorized by law, he should not permit *ex parte* communications intended to influence his judicial action.

(5) A judge should dispose promptly of the business of the court.

(6) A judge should abstain from public comment about



a pending or impending proceeding in any court, and should require similar abstention on the part of court personnel while subject to his direction and control. This subsection does not prohibit judges from making public statements in the course of their official duties or from explaining for public information the procedures of the court.

## **B. Administrative Responsibilities.**

(1) A judge should diligently discharge his administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other judges and court officials.

(2) A judge should require his staff and court officials while subject to his direction and control to observe the standards of fidelity and diligence that apply to him.

(3) A judge should take or initiate appropriate disciplinary measures against a lawyer for unprofessional conduct of which the judge may become aware.

(4) A judge should not make unnecessary appointments. He should exercise his power of appointment only on the basis of merit, avoiding nepotism and favoritism. He should not approve compensation of appointees beyond the fair value of services rendered.

## **C. Disqualification.**

(1) A judge should disqualify himself in any proceeding in which he has reason to believe that he could not act with complete impartiality, or in a proceeding in which his impartiality might reasonably be questioned.

(2) A judge should promptly inform the parties in any

proceeding concerning any matter which might reasonably cause his impartiality to be questioned.

**CANON 4. A JUDGE MAY ENGAGE IN ACTIVITIES TO IMPROVE THE LAW, THE LEGAL SYSTEM, AND THE ADMINISTRATION OF JUSTICE**

A judge, subject to the proper performance of his judicial duties, may engage in the following quasi-judicial activities, if in doing so he does not cast doubt on his capacity to decide impartially any issue that may come before him:

A. He may speak, write, lecture, teach, and participate in other activities concerning the law, the legal system, and the administration of justice.

B. He may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system, and the administration of justice, and he may otherwise consult with an executive or legislative body or official, but only on matters concerning the administration of justice.

C. He may serve as a member, officer, or director of an organization devoted to the improvement of the law, the legal system, or the administration of justice. He may assist such an organization in raising funds and may participate in their management and investment, but should not personally participate in fund raising activities. He may make recommendations to public and private fund-granting agencies on projects and programs concerning the law, the legal system, and the administration of justice.

**CANON 5. A JUDGE SHOULD REGULATE HIS EXTRA-JUDICIAL ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH HIS JUDICIAL DUTIES**

A. **Avocational Activities.** A judge may write, lecture,

teach, and speak on non-legal subjects, and engage in the arts, sports, and other social and recreational activities, if such avocational activities do not detract from the dignity of his office or interfere with the performance of his judicial duties.

**B. Civic and Charitable Activities.** A judge may participate in civic and charitable activities that do not reflect adversely upon his impartiality or interfere with the performance of his judicial duties. A judge may serve as an officer, director, trustee, or non-legal advisor of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members, subject to the following limitations:

(1) A judge should not solicit funds for any educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of his office for that purpose, but he may be listed as an officer, director, or trustee of such an organization. He should not be a speaker or the guest of honor at an organization's fund raising events, but he may attend such events.

(2) A judge should not give investment advice to such an organization, but he may serve on its board of directors or trustees even though it has the responsibility for approving investment decisions.

**C. Financial Activities.**

(1) A judge should refrain from financial and business dealings that tend to reflect adversely on his impartiality, interfere with the proper performance of his judicial duties, exploit his judicial position, or involve him in frequent transactions with lawyers or persons likely to come before the court on which he serves.

(2) Subject to the requirements of subsection (1), a judge

may hold and manage investments, including real estate, but should not serve as an officer, director, manager, advisor, or employee of any business.

(3) A judge should manage his investments and other financial interests to minimize the number of cases in which he is disqualified. As soon as he can do so without serious financial detriment, he should divest himself of investments and other financial interests that might require frequent disqualification.

(4) Neither a judge nor a member of his family residing in his household should accept a gift, bequest, favor, or loan from anyone except as follows:

(a) a judge may accept a gift incident to a public testimonial to him; books supplied by publishers on a complimentary basis for official use; or an invitation to the judge and his spouse to attend a bar-related function or activity devoted to the improvement of the law, the legal system, or the administration of justice;

(b) a judge or a member of his family residing in his household may accept ordinary social hospitality; a gift, bequest, favor, or loan from a relative; a wedding or engagement gift; a loan from a lending institution in its regular course of business on the same terms generally available to persons who are not judges; or a scholarship or fellowship awarded on the same terms applied to other applicants;

(c) a judge or a member of his family residing in his household may accept any other gift, bequest, favor, or loan only if the donor is not a party or other person whose interests have come or are likely to come before him, and, if its value exceeds \$100, the judge reports it in the same manner as he reports compensation in Canon 6C.

(5) A judge is not required by this Code to disclose his income, debts, or investments, except as provided in this Canon and Canons 3 and 6.

(6) Information acquired by a judge in his judicial capacity should not be used or disclosed by him in financial dealings or for any other purpose not related to his judicial duties.

**D. Fiduciary Activities.** A judge may serve as the executor, administrator, trustee, guardian, or other fiduciary, of the estate, trust, or person of a member of his family, and then only if such service will not interfere with the proper performance of his judicial duties. "Member of his family" includes a spouse, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close personal relationship. As a family fiduciary a judge is subject to the following restrictions:

(1) He should not serve if it is likely that as a fiduciary he will be engaged in proceedings that would ordinarily come before him. If the estate, trust or ward becomes involved in adversary proceedings he shall not appear as counsel.

(2) While acting as a fiduciary a judge is subject to the same restrictions on financial activities that apply to him in his personal capacity.

**E. Arbitration.** A judge should not act as an arbitrator or mediator.

**F. Practice of Law.** A judge should not practice law.

## **CANON 6. A JUDGE SHOULD REGULARLY FILE REPORTS OF COMPENSATION RECEIVED FOR QUASI-JUDICIAL AND EXTRA-JUDICIAL ACTIVITIES**

A judge may receive compensation and reimbursement of

expenses for the quasi-judicial and extra-judicial activities permitted by this Code, if the source of such payments does not give the appearance of influencing the judge in his judicial duties or otherwise give the appearance of impropriety, subject to the following restrictions:

A. **Compensation.** Compensation should not exceed a reasonable amount nor should it exceed what a person who is not a judge would receive for the same activity.

B. **Expense Reimbursement.** Expense reimbursement should be limited to the actual cost of travel, food, and lodging reasonably incurred by the judge and, where appropriate to the occasion, by his spouse. Any payment in excess of such an amount is compensation.

C. **Public Reports.** A judge should report the date, place, and nature of any activity for which he received compensation, and the name of the payor and the amount of compensation so received. Compensation or income of a spouse attributed to the judge by operation of a community property law is not extra-judicial compensation to the judge. His report should be made at least annually and should be filed with the Chief Justice of the Supreme Judicial Court.

## **CANON 7. A JUDGE SHOULD REFRAIN FROM POLITICAL ACTIVITY INAPPROPRIATE TO HIS JUDICIAL OFFICE**

### **A. Political Conduct in General.**

(1) A judge should not:

(a) act as a leader or hold any office in a political organization;

(b) make speeches for a political organization or

candidate or publicly endorse a candidate for public office;

(c) solicit funds for or pay an assessment or make a contribution to a political organization or candidate, attend political gatherings, or purchase tickets for political party dinners, or other functions;

(d) should not engage in any political activity except on behalf of measures to improve the law, the legal system, or the administration of justice.

### **EFFECTIVE DATE OF COMPLIANCE**

A person to whom this Code becomes applicable should arrange his affairs as soon as reasonably possible to comply with it. If, however, the demands on his time and the possibility of conflicts of interest are not substantial, a person who holds judicial office on the date this Code becomes effective may:

(a) continue to act as an officer, director, or non-legal advisor of a family business;

(b) continue to act as an executor, administrator, trustee, or other fiduciary for the estate or person of one who is not a member of his family; and may serve in such capacity when named in any document in existence at the effective date of this Code.

**CODE OF JUDICIAL CONDUCT MADE  
APPLICABLE TO JUDGES OF THE  
ADMINISTRATIVE COURT**

**Effective July 1, 1978**

All of the Justices concurring therein, it is ORDERED that the Maine Code of Judicial Conduct adopted by this Court effective April 1, 1974, be hereby adopted, prescribed, and promulgated to be applicable to the Judges of the Administrative Court, effective July 1, 1978.

This Order shall be recorded in the *Maine Reporter*.

Dated: June 26, 1978.

VINCENT L. MCKUSICK  
*Chief Justice*

CHARLES A. POMEROY

SIDNEY W. WERNICK

JAMES P. ARCHIBALD

THOMAS E. DELAHANTY

EDWARD S. GODFREY

DAVID A. NICHOLS  
*Associate Justices*



**CODE OF JUDICIAL CONDUCT  
DECLARED APPLICABLE TO  
ACTIVE RETIRED JUSTICES AND JUDGES**

**Effective December 5, 1978**

All of the Justices concurring therein, it is hereby ORDERED and DECLARED that the Maine Code of Judicial Conduct adopted by this Court effective April 1, 1974, is applicable to Active Retired Justices of the Supreme Judicial and Superior Courts and Active Retired Judges of the District and Administrative Courts. This declaration is effective immediately.

This Order shall be recorded in the *Maine Reporter*.

Dated: December 5, 1978.

VINCENT L. McKUSICK  
*Chief Justice*

CHARLES A. POMEROY

SIDNEY W. WERNICK

JAMES P. ARCHIBALD

THOMAS E. DELAHANTY

EDWARD S. GODFREY

DAVID A. NICHOLS  
*Associate Justices*

**CODE OF JUDICIAL CONDUCT MADE  
IN PART APPLICABLE TO  
JUDGES OF PROBATE**

**Effective December 15, 1978**

All of the Justices concurring therein, it is hereby ORDERED that Canons 1, 2, and 3 of the Maine Code of Judicial Conduct adopted by this Court effective April 1, 1974, be hereby adopted, prescribed, and promulgated to be applicable to the Judges of Probate, effective December 15, 1978.

This Order shall be recorded in the *Maine Reporter*.

Dated: December 5, 1978.

VINCENT L. McKUSICK  
*Chief Justice*

CHARLES A. POMEROY

SIDNEY W. WERNICK

JAMES P. ARCHIBALD

THOMAS E. DELAHANTY

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