

## **CANON 2—THE HIRING OF COURT EMPLOYEES**

### **Issue**

Shall the Representative Assembly support and endorse a Resolution to Amend the Michigan Code of Judicial Conduct to *add* Section (F) to Canon 2, as follows:

### **CANON 2 (F) A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities**

F. A trial court judge should neither contract as an independent contractor nor employ as a court staff member in any capacity a spouse, sibling, parent or child of an attorney having an office located within the same jurisdiction as that trial court or of an attorney who engages in the practice of law in that trial court.

### **Synopsis**

This rule would help avoid impropriety or the appearance of impropriety when family members of judges are working in the same court system.

### **Background**

Relative of judges, prosecutors, defense lawyers and civil attorneys who work in positions of authority within the court system, with access to information in court files and case scheduling opportunities which may be used to assist one party to the disadvantage of another.

### **Opposition**

None known.

### **Prior Action by Representative Assembly**

None known.

### **Fiscal and Staffing Impact on State Bar of Michigan**

None known.

**STATE BAR OF MICHIGAN POSITION**  
**By vote of the Representative Assembly on September 18, 2008**

Should the Representative Assembly support and endorse a Resolution to amend the Michigan Code of Judicial Conduct to *add* Section (F) to Canon 2 as proposed?

(a) Yes

or

(b) No