

DISCUSSION QUESTIONS

Weddings

May a judge decline to perform a same sex marriage because of strongly held religious belief against such unions? May a judge accept money or gifts for officiating at weddings?

Letters of Recommendation

May a judge write letters of recommendation for lawyers, former clerks or persons with whom the judge is acquainted? Under what circumstances may a judge use an official letterhead for such letters?

Video Appearances

May a judge appear in a video for a jury commissioner's office to explain to prospective jurors about jury selection and the trial process? May a judge appear in a video explaining the value of computer legal research, paid for by Westlaw? What about the same video for the Tennessee Bar Association?

Extrajudicial Activities

May a judge teach a course at a law school? How about at a seminary or a church? May a judge teach a course at a college about effective writing, or basket weaving? May a judge appear on a weekly basis at elementary schools about good citizenship? How about on behalf of a political party?

Trial Conduct

During a trial, may a judge use terms of endearment, such as "honey," when referring to young female lawyers? How about the term "little lady?" How should a judge deal, during a trial, with lawyers who are trying to goad the judge into a mistrial for losing his/her temper or making improper remarks regarding the lawyers? May a judge meet in chambers at the insistence of only one of the counsel to discuss a matter deemed "very important?"

Dealing with the Media

What subjects may judges discuss with the media? May judges appear on television shows or submit to interviews with television or newspaper reporters? May judges discuss matters likely to appear or which have appeared in their courts?

Disqualifications

Should judges recuse themselves from all cases in which a party is represented by a law firm which employs one of their children or a relative? What if one of the lawyers represented the judge's spouse in their divorce? What if the victim of a crime is a business which employs the judge's spouse? What if one of the parties is represented by a lawyer who contributed to the judge's campaign or a law firm which had a fund-raiser for the judge's last election?

Dealing with Judicial or Attorney Misconduct or Disability

How should a judge respond if it appears another judge is abusing substances or engaging in misconduct with court personnel, attorneys or parties? How about if an attorney is engaging in the same misconduct?

Participating in Educational, Religious, Charitable or Civil Organizations

To what extent may a judge participate in the activities of such organizations by fund-raising, giving speeches, or acting as an officer or leader?

Political or Campaign Activity

To what extent may a judge participate in such activities, by fund-raising or making contributions, giving speeches, or being an officer in a political party? May judges attend fund-raisers for other candidates for either legal or non-legal positions? To what extent may judges make public their positions on contested social issues, such as abortion, gun control or same sex marriages? May a judge endorse another candidate for either a legal or non-legal position? Under what circumstances and by what means may a judge solicit or accept political contributions?

