

ORDER

It is ORDERED that the attached commentary to Canon 6 of the Code of Judicial Conduct, which Code pursuant to Rule 1:14 is included as an Appendix to Part I of the Rules Governing the Courts of the State of New Jersey, is adopted effective immediately.

For the Court
Deborah T. Poritz
Chief Justice
Dated: March 12, 2002

Canon 6. A Judge Shall Not Receive Compensation for Quasi-Judicial and Extra-Judicial Activities

A judge may not receive compensation for the quasi-judicial and extra-judicial activities permitted by this Code but may receive reimbursement of actual expenses that the judge reasonably incurred for travel, food, and lodging, provided that the source of such payments does not give the appearance of influencing the judge in the exercise of judicial duties or otherwise give the appearance of impropriety.

Commentary

When a judge who is a beneficiary of an estate serves as an executor or administrator as permitted by Canon 5E and receives a fee solely for the purpose of reducing the tax liability of the estate, receipt of that fee does not constitute compensation under Canon 6.

[Source Note for the Code of Judicial Conduct]

Note: The foregoing Code of Judicial Conduct of the American Bar Association, as amended by the New Jersey Supreme Court, adopted April 3, 1974, to be effective immediately; caption "Applicability" added and new paragraph A.(3) adopted to be effective September 8, 1980; new subparagraph 3A(7)(b) adopted October 8, 1980, to be effective immediately; subparagraph 3A(7)(b) amended June 9, 1981 to be effective immediately; new subparagraph 3A(4) adopted October 26, 1987, to be effective January 1, 1988 (with remaining subparagraphs of 3A renumbered accordingly); paragraphs 4(B) and 4(C) and commentary to Canon 4 amended October 26, 1987, to be effective January 1, 1988; paragraphs A(3) and B of Applicability section amended October 26, 1987, to be effective January 1, 1988; entire code and commentary amended October 26, 1987 so as to be degenderize, effective January 1, 1988; subparagraph 5A(2) amended February 1, 1988 to be effective immediately; commentary to Canon 4 amended February 1, 1988, to be effective immediately; subparagraph 3A(4) amended July 18, 1990, to be effective September 4, 1990; paragraph A(1) of Applicability section amended December 20, 1990 to be effective immediately; paragraphs 2B, 3A(3), 3A(4), 3A(8), 3A(8)(b), 3B(1), 3B(2), 3B(3), 3B(4), 3C(1)(a), 3C(1)(c), 3C(2), 5B(2), 5B(3), 5C(2), 5C(4), 5D, 5E, 5F, 5G, 6, 7, and Applicability paragraph and headings to paragraphs 5, 6, 7 amended and new paragraphs 2C, 3A(5), 3A(10), 3B(3)(a), 3B(3)(b), 3B(3)(c), 5A (with remaining subparagraphs of 3 and 5 renumbered accordingly), adopted July 13, 1994 to be effective September 1, 1994; commentary to Canon 6 adopted March 12, 2002 to be effective immediately.