



The Supreme Court of Kansas

Kansas Judicial Center
Topeka, Kansas 66612-1507

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE-58

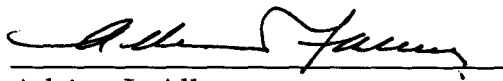
September 11, 1995


Question: Are "substitute judges" for a particular court "**pro tempore part-time judges,**" "**periodic part-time judges,**" or "**continuing part-time judges?**"

Discussion: This particular court maintains a list of ten attorneys who may be called as "substitute judges" when needed. During the first six months of 1995, 139 appointments were made from this list, for an average of 23.3 four-hour sessions per month. It is apparent that attorneys on this list would "expect to serve repeatedly on a part-time basis." See 256 Kan. Advance Sheet No. 3 at VIII.

Answer: These "substitute judges" are "**Periodic Part-Time Judges**" as defined in the RULES RELATING TO JUDICIAL CONDUCT, 256 Kan. Advance Sheet No. 3 at VIII, effective June 1, 1995. These rules specifically prohibit "**Periodic Part-Time Judges**" from practicing law in the court upon which they serve. 256 Kan. Advance Sheet No. 3 at XXXI, D2.


Robert H. Miller, Chairman


Adrian J. Allen


E. Newton Vickers