



# The Supreme Court of Kansas

Kansas Judicial Center  
Topeka, Kansas 66612-1507



JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 94

January 7, 2000

FILED

JAN 06 2000

CAROL G. GHEEN  
CLERK OF APPELLATE COURTS

**QUESTION:**

The spouse of the judge's court reporter is a lawyer and a member of a law firm, all the members of which regularly appear in the judge's court. Must the judge disqualify in any case in which any member of this firm appears?

**ANSWER:**

"A judge...shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." Canon 2A, 1999 Kan. Ct. R. Annot. 465. The test is whether the judge's failure to disqualify would create in reasonable minds a perception that the judge's ability to carry out his or her responsibilities with integrity and impartiality is impaired. See commentary to Canon 2A.

The mere fact that a member of this firm is appearing for a party in the judge's court would not, in our opinion, create the perception in a reasonable mind that the judge's ability to act with integrity and impartiality is impaired, provided the judge informs all other counsel in the case and any pro se parties of the relationship between the lawyer and the court reporter.

A handwritten signature in cursive script, appearing to read "Adrian J. Allen".

Adrian J. Allen

A handwritten signature in cursive script, appearing to read "Fred S. Jackson".

Fred S. Jackson

Robert H. Miller, Chairman, not participating