

**SUMMARY OF MAJOR CHANGES TO
TENNESSEE SUPREME COURT RULE 10
CODE OF JUDICIAL CONDUCT**

The following are major changes adopted by the Court on Jan. 4, 2012:

1. Provide greater guidance on judicial disqualification and recusal. Included are factors such as the levels of campaign support for the judge or the judge's opponent, the timing of the support and independent expenditures.
2. Require compliance with new procedures for motions to determine incompetence, disqualification and recusal. The procedure includes a requirement that judges give reasons for denying disqualification in writing and that an independent immediate review of the denial of the motion be granted as of right.
3. Prohibit judges who participate in judicial settlement conferences from presiding over the trial or other contested issues in that matter.
4. Adopt a limited exception to ex parte communications prohibitions for those involved in drug and mental health courts. However, disqualification may be required.
5. Change the gift threshold for required reporting from \$150 to \$250.
6. Make it clear that campaign committees and judges must fully comply with campaign finance disclosure statutes, and that such activities may lead to disqualification.
7. Include within the provisions related to judges' families a person with whom another person maintains a household and an intimate relationship other than a person to whom he or she is legally married.
8. Clarify application of certain Code provisions to senior judges, part-time judges, continuing part-time judges and pro tempore judges.
9. Clarify when judges may provide a reference or recommendation. Permit use of official letterhead when the reference is personal or is based on personal knowledge and is germane to the judge's professional knowledge, such as writing a letter of recommendation for a law clerk.
10. Clarify a judge's responsibility to report violations of the Rules of Professional Conduct and the Code of Judicial Conduct by lawyers and judges, including reference to judicial assistance programs.
11. Permit judges, spouses and guests to attend, free of charge, events associated with educational, civic, religious, fraternal and charitable organizations.
12. Emphasize that judges must perform their duties promptly, as well as competently, diligently and cooperatively.

13. Adopt language prohibiting a judge from “making a contribution” to a political organization or a candidate for political office but permits a judge to buy a ticket to political fundraisers.

14. Adopt an amendment to Tenn. Sup.Ct. Rule 31 to make clear that judges who participate in alternative dispute resolution settlement conferences are prohibited from further activities in the case.

15. Adopt new provisions in Tenn. Sup. Ct. Rule 11 dealing with substitute judges.