

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT TO IDAHO)
CODE OF JUDICIAL CONDUCT)
_____)

ORDER

The Court, having reviewed a proposed amendment from the Idaho Judicial Council to the Idaho Code of Judicial Conduct, and the Court being fully informed:

NOW, THEREFORE, IT IS HEREBY ORDERED that the existing Idaho Code of Judicial Conduct be, and it is hereby, amended as follows:

1. The Comments to Rule 2.9 in Cannon 2 are amended to read:

[1] To the extent reasonably possible, all parties or their lawyers shall be included in communications with a judge.

[2] Whenever the presence of a party or notice to a party is required by this Rule, it is the party's lawyer, or if the party is unrepresented, the party, who is to be present or to whom notice is to be given.

[3] The proscription against communications concerning a proceeding includes communications with lawyers, law professors, and other persons who are not participants in the proceeding, except to the limited extent permitted by this Rule.

[4] A judge may initiate, permit, or consider ex parte communications expressly authorized by law, such as when serving on therapeutic or problem-solving courts, mental health courts, or drug courts. In this capacity, judges may assume a more interactive role with parties, treatment providers, probation officers, social workers, and others.

[5] A judge may consult with other judges on pending matters, but must avoid ex parte discussions of a case with judges who have previously been disqualified from hearing the matter, and with judges who have appellate jurisdiction over the matter.

[6] The prohibition against a judge investigating the facts in a matter extends to information available in all mediums, including electronic.

[7] A judge may consult ethics advisory committees, outside counsel, or legal experts concerning the judge's compliance with this Code. Such consultations are not subject to the restrictions of paragraph (A)(2).

IT IS FURTHER ORDERED, that this order and this amendment shall be effective immediately.

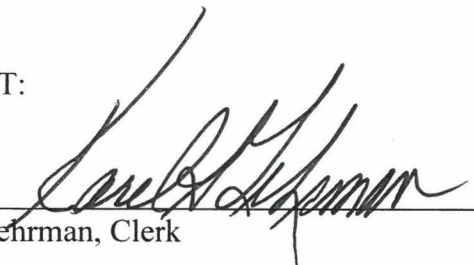
Dated this 20 day of December, 2018.

By Order of the Supreme Court



Roger S. Burdick, Chief Justice

ATTEST:


Karel Lehrman, Clerk

I, Karel A. Lehrman, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
certify that the above is a true and correct copy of the
Order entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court December 20, 2018

Karel A. Lehrman, Clerk

By Corby Clark Deputy