

STAND. COM. REP. NO.

3684

Honolulu, Hawaii

APR 04 2022

RE: S.R. No. 97

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.R. No. 97 entitled:

"SENATE RESOLUTION STRONGLY URGING THE SUPREME COURT OF THE UNITED STATES TO ADOPT A FORMAL ETHICS CODE FOR THE JUSTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to strongly urge the Supreme Court of the United States to adopt a code of ethics similar to the code of conduct for United States judges.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that in *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868 (2009), Justice Kennedy, writing for the court, stated that, "[judicial] codes of conduct serve to maintain the integrity of the judiciary and the rule of law". The code of conduct for United States judges is a set of ethical principles and guidelines adopted by the Judicial Conference of the United States and includes specific rules about ethics, integrity, and appearances of impropriety relating to outside business and political activities and the acceptance of gifts. The Judicial Conference which promulgated the code of conduct does not have the authority to bind the Supreme Court of the United States. Therefore, the nine justices of the Supreme Court of the United States are not bound by any code of conduct. This measure will



urge the Supreme Court of the United States to adopt a code of conduct, which will promote openness, transparency, and trust in the judicial system.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 97 and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SR97	Committee Referral: JDC	Date: 03-30-22
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:
 Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)				/
ACASIO, Laura	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
LEE, Chris	/			
FEVELLA, Kurt				/
TOTAL	5	0	0	2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: *Laura Acasio*

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*Only one measure per Record of Votes