

STAND. COM. REP. NO. **2215**

Honolulu, Hawaii

APR 17, 2023

RE: S.C.R. No. 204

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.C.R. No. 204 entitled:

"SENATE CONCURRENT 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 of this measure is to strongly urge the Supreme Court of the United States to adopt a formal ethics code for the Justices.

Your Committee received testimony in support of this measure from two individuals.

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

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States are not bound by any code of conduct. This measure urges 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 & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 204 and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



