

STAND. COM. REP. NO.

1626

Honolulu, Hawaii

APR 04 2023

RE: S.R. No. 103

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.R.
No. 103 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 formal ethics
code for the United States justices.

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

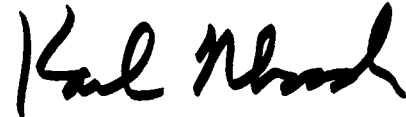
Your Committee finds that in *Caperton v. A. T. Massey Coal
Co.*, 556 U.S. 868 (2009), Justice Kennedy, writing for the court,
stated that, "[judicial] codes of conduct serve to maintain the
integrity of the judiciary and the rule of law". The code of
conduct for United States judges is a set of ethical 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 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 that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 103 and recommends its adoption.

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



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SR 103	Committee Referral: JDC	Date: 3/23/23
--	-----------------------------------	-------------------------

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)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.				✓
AWA, Brenton	✓			
TOTAL	4	—	—	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

***Only one measure per Record of Votes**