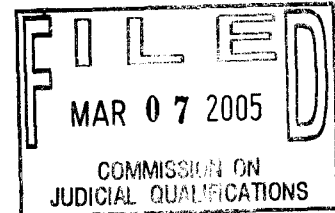




# The Supreme Court of Kansas

KANSAS JUDICIAL CENTER  
301 S.W. 10<sup>th</sup> Ave.  
Topeka, Kansas 66612-1507



## JUDICIAL ETHICS ADVISORY PANEL

### Judicial Ethics Opinion JE 126

March 7, 2005

On April 1, 2004, we issued Judicial Ethics Opinion JE 121, in which we held that judges should not attend a proposed conference to be presented by the Kansas Department of Transportation, and the Kansas Highway Patrol, and sponsored by the Kansas Drunk Driving Prevention Office. That conference was open only to judges.


This year, the same presenters and sponsors propose to invite attorneys as well as judges to attend. The stated purpose is "to provide information that will assist participants in adjudicating the drugged and intoxicated driver. . ." (emphasis added) The topics to be presented are identical with those of last year. The speakers are all law enforcement officers with the exception of one judge who has been invited to speak.

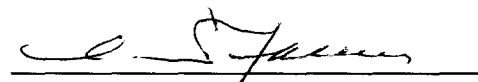
Extending an invitation to attorneys to attend does not alter the purpose of the conference, which is to present judges with law enforcement's problems, methods and the technology employed in drunk driving cases - and in effect to train judges to consider those matters in future cases.

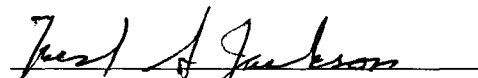
A judge must decide each case on the evidence presented, as the Arizona Judicial Advisory Committee said in the case cited in our earlier opinion,

“ . . . judges should not attend seminars or training programs sponsored by or presented at a law enforcement agency in which officers might discuss new devices, technologies, or police procedures. To do so would unduly blur the line between judicial and law enforcement activities. It would impair if not directly contravene the fundamental principles of judicial independence, integrity, and impartiality.” Arizona Supreme Court Judicial Ethics Advisory Committee, Advisory Opinion 03-08 (December 17, 2003)

We adhere to our earlier opinion, JE 121. Judges should not attend or participate in the proposed conference.

  
Robert H. Miller, Chairman

  
Adrian J. Allen

  
Fred S. Jackson