

## PROPOSED AMENDMENT TO RULE 3.15

The Kansas Supreme Court is considering proposed changes to Rule 3.15 of the Kansas Code of Judicial Conduct to clarify that the Commission on Judicial Conduct reviews the annual report form that is approved by the Court and provided annually to Kansas judges. The remaining amendments provide clarity to the rule. The proposed changes are shown using strike-through for deletion and underlining for new language.

The Court is accepting comments on the proposed rule changes until 5 PM Tuesday, October 11, 2022. Comment may be submitted by email to [rulenotice@kscourts.org](mailto:rulenotice@kscourts.org) with Rule 3.15 in the subject line.

### RULE 3.15

#### Reporting Requirements

(A) A judge must ~~shall~~ publicly report:

(1) compensation received for extrajudicial activities as permitted by Rule 3.12 and compensation received by the judge's spouse or *domestic partner*. Reportable compensation means income received for the personal services of the judge in an amount in excess of \$500 from any single payor or in excess of \$3,000 from all payors during the reporting period; income received for the personal services of the judge's spouse or *domestic partner* in an amount in excess of \$3,000 from a single source during the reporting period; and income derived from business; royalties, including ownership of mineral rights; annuities; life insurance; and contract payments.

(2) fees and commissions. A judge must ~~shall~~ report each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions the judge, the judge's spouse, or the judge's *domestic partner* received an aggregate in excess of \$3,000 during the reporting period. The phrase "client or customer" relates only to businesses or a combination of businesses. The term "business" means any corporation, association, partnership, proprietorship, trust, joint venture, ~~or a~~ governmental agency unit, or a governmental subdivision, and every other business interest, including ownership or use of land for income. The term "combination of businesses" means any two or more businesses owned or controlled directly by the same interests. The term "other business interest" means any endeavor that ~~which~~ produces

income, including appraisals, consulting, authorships, inventing, or the sale of goods and services.

(3) ownership interests. A judge ~~must shall~~ report any corporation, partnership, proprietorship, trust, retirement plan, joint venture, and every other business interest, including land used for income, in which either the judge, the judge's spouse or *domestic partner*, dependent children, or dependent stepchildren have owned a legal or equitable interest exceeding \$5,000 during the reporting period.

(4) gifts and other things of value as permitted by Rule 3.13(C), unless the value of such items, alone or in the aggregate with other items received from the same source in the same calendar year, does not exceed \$200.

(5) reimbursement of expenses and waiver of fees or charges permitted by Rule 3.14(A), unless the amount of reimbursement or waiver, alone or in the aggregate with other reimbursements or waivers received from the same source in the same calendar year, does not exceed \$200. Expense reimbursement limited to the actual cost of travel, food, and lodging reasonably incurred by the judge and, where appropriate to the occasion, by the judge's spouse or *domestic partner* should be reported as a gift. Any payment in excess of such an amount is to be reported as compensation.

(6) positions. A judge ~~must shall~~ report any business, organization, including a labor organization, educational or other institution, ~~or and~~ entity in which the judge now holds or has held a position of officer, director, associate, partner, proprietor, trustee, guardian, custodian, or similar *fiduciary*, representative, employee, or consultant at the time of filing this report or during the reporting period.

(7) liabilities. A judge ~~must shall~~ report all of the judge's, the judge's spouse's or *domestic partner's*, dependent children's, and dependent stepchildren's liabilities to any creditor ~~that which~~ exceeded \$10,000 at any time during the reporting period except for any liability owed to a spouse, parent, brother, sister, or child; any mortgage secured by real property ~~that which~~ is a personal residence of the judge or the judge's spouse or *domestic partner*; any loan secured by a personal motor vehicle, household furniture, or appliances that does not exceed the purchase price of the item securing the liability; any student loans or loans from a lending institution in its regular course of business on the same terms generally available to persons who are not judges; any revolving charge account, the balance of which did not exceed \$10,000 at the close of the reporting period; and political campaign funds.

(B) A judge ~~must shall~~ report annually the information listed above in (A)(1) through (7) on a form reviewed provided by the Commission on Judicial Conduct and approved by the Supreme Court. The judge's report for the preceding calendar year ~~must shall~~ be submitted as a public document with the Office of ~~the~~ Judicial Administration on or before April 15 of each year.