



Connecticut Committee on Judicial Ethics

Informal Opinion Summaries

2023-08 (January 3, 2024)

Appearance of Impropriety; Event, attendance/appearance; Extrajudicial Activities; Ordinary Social Hospitality; Political Activity/Organizations; Rules 1.2 and 4.1

Issues

1. May a Judicial Official attend an inaugural ball celebrating Hartford's new mayor?
2. During the inaugural ball, may the Judicial Official sit with their spouse, who is a partner at the Connecticut law firm that purchased the Judicial Official's ticket for the ball?
3. Is the Judicial Official required to pay for their own ticket?

Facts: A Judicial Official (hereinafter "JO") asks whether it is permissible under the Code of Judicial Conduct for the JO to attend the "[Believe in Hartford Ball](#)" (hereinafter, "the Ball"), an inaugural dinner and ball celebrating Hartford's new mayor. The JO has a spouse who is a partner at a Connecticut law firm. This firm has purchased one table (ten tickets) and has given JO's spouse two tickets – one for the spouse and one for the JO. The JO has been and continues to be recused from any matter involving spouse's law firm.

A ticket is required to attend the Ball. For Hartford residents, a single ticket costs \$85.00; for non-residents, a single ticket costs \$125.00. Four sponsorship packages are also available to purchase; they range from the "Bronze" package, costing \$1,000.00, to the "Platinum" package, costing \$10,000.00. As the price of the package increases, so do the perquisites: Bronze includes "[r]ecognition at the event", while Platinum includes "[. . .] 6 VIP tickets, 4 General Admission tickets, a reserved table for ten, and prominent recognition throughout event venue on signage and screens." The website also indicates that proceeds from this event will be donated to Hartford non-profits.

Aside from the “The Ball” [website](#), Mayor-elect Arunan Arulampalam has a second [website](#) which appears to be a part of the Mayor-elect’s election campaign (hereinafter, “campaign website”). At the bottom of the campaign website is the following language:

Paid for by Arunan for Hartford. Andréa Comer, Treasurer.

Approved by Arunan Arulampalam.

The Ball website has no similar language.

Relevant Code Provisions: Rule 1.2. (Promoting Confidence in the Judiciary) of the Code of Judicial Conduct; and Rule 4.1 (Political Activities of Judges in General).

Rule 1.2 states that “A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this Code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge.”

Rule 4.1 states, in part, “(a) Except as permitted by law, or by Rules 4.2 and 4.3, a judge shall not [. . .] (5) attend or purchase tickets for dinners or other events sponsored by a political organization or a candidate for public office [. . .] (c) A judge should not engage in any other political activity except on behalf of measures to improve the law, the legal system, or the administration of justice.

Comment 1 to Rule 4.1 states that “Even when subject to reappointment or when seeking elevation to a higher office, a judge plays a role different from that of a legislator or executive branch official. Rather than making decisions based on the expressed views or preferences of the public, a judge makes decisions based on the law and the facts of every case. Therefore, in furtherance of this interest, judges must, to the greatest extent possible, be free and appear to be free from political influence and political pressure. This Canon imposes narrowly tailored restrictions on the political activities of all judges and sitting judges seeking reappointment or appointment to a higher judicial office.”

Comment 2 to Rule 4.1 states, in part, that “[p]ublic confidence in the independence and impartiality of the judiciary is eroded if judges are perceived to be subject to political influence.”

Discussion: Rule 4.1 poses the greatest challenge to the JO attending the Ball. Cynthia Gray, Director Emeritus at the Center for Judicial Ethics, states: “Whether a judge may attend an inaugural ball depends on whether the ball is a fund-raising event for a political organization.”¹ It is instructive to begin an analysis of this Rule by reading its commentary. Comment 1 states, in part, “Rather than making decisions based on the expressed views or preferences of the public, a judge makes decisions based on the law and the facts of every case. Therefore, in furtherance of this interest, judges must, to the greatest extent possible, be free and appear to be free from political influence and political pressure. This Canon imposes narrowly tailored restrictions on the political activities of all judges”. Comment 2 goes on to state, in part, “Public confidence in the independence and impartiality of the judiciary is eroded if judges are perceived to be subject to political influence.”

The Committee discussed the fact that the city of Hartford frequently appears as a litigant before the courts and that the JO’s attendance at the event may appear to be an endorsement of the current administration. The sponsorship opportunities of up to \$10,000 were also noted as a concern. Based upon on the facts available to the Committee, the Committee inferred that “Arunan for Hartford” is a political organization associated with the new administration.

This Committee has considered similar situations in its prior opinions. In [JE 2010-36](#), this Committee concluded that a JO may attend the gubernatorial dinner and ball, hosted by the Trustees of the First Company Governor’s Foot Guard, at no cost. Based upon the facts presented, including that the inaugural ball is not a fundraising event for a political organization, but rather a civic event that marked the orderly transition of an elected official, the Committee concluded that the Judicial Officials may attend this civic event and accept the two complimentary tickets, provided the value is reported pursuant to Rule 3.15.

See also [JE 2018-12](#) (JO may participate in a municipal parade, subject to several conditions); [JE 2013-37](#) (JO may attend the portrait unveiling ceremony honoring a former governor. The event is funded through the State of Connecticut’s Office of Policy and Management.; [JE 2013-47](#) (JO may attend a holiday party hosted by a municipality’s governing body. Attendees are members of both major political parties and include people of all political affiliations and those with no political affiliation at all. The Code defines “political organization” as “a political party or other group

¹ *A Judge’s Attendance at Social Events, Bar Association Functions, Civic and Charitable Functions, and Political Gatherings*, rev. 8/00, page 16.

sponsored by or affiliated with a political party or candidate, the principal purpose of which is to further the election or appointment of candidates for political office.” The event is not being sponsored by a political organization.); and [JE 2015-02](#) (A JO may not speak at a dinner in honor of a recently retired politician which was co-sponsored by the honoree’s political party and family).

Recommendation: After reviewing all the available facts, the Committee determined, based on inference, that “Arunan for Hartford” is a political organization associated with the new administration. As a result, the Committee unanimously concluded that the Judicial Official is prohibited by Rule 4.1(a) (5) from attending the Ball.

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