



Connecticut Committee on Judicial Ethics

Informal Opinion Summaries

2025-02 (September 18, 2025) Gifts; Ordinary Social Hospitality; Social Activities; Appearance of Impropriety; Rules 1.2, 2.11, & 3.13

Issue: May a Judicial Official (“JO”) accept an invitation to attend an expensive birthday event at a first-class resort under the Connecticut Code of Judicial Conduct (the “Code”)?

Facts: A JO and their spouse are close friends with another couple who are both Connecticut attorneys. The couple own a family law firm in Connecticut. The JO’s spouse (who is also a member of the bar) attended college with one of them. The JO and their spouse have thus been friends with this lawyer for decades. The JO and their spouse regularly socialize with the couple. This includes vacations once a year with the couple that include the JO’s children.

The JO has indicated that they are not presently assigned to the family court dockets and discloses the conflict of interest with the family law firm each year on the judicial assignment request form. The JO also specifically indicates on the form that the JO is recused from sitting on any court matter handled by any attorneys from the family law firm.

The JO and their spouse have been invited by the couple to attend an expensive birthday celebration outside the United States. The celebration is planned for six days at a shared villa in a first-class resort. The hosts plan to cover the cost of accommodations for everyone attending the birthday party. The JO believes that the hosts will also pay for the birthday dinner. The JO and their spouse would cover the costs of their own airfare. Three other guests (not employees of the family law firm) are also invited on the trip.

Additional details of the trip (such as potential excursions from the resort or live entertainment) are unknown at this time. The JO has indicated that while the JO has exchanged social hospitality with their friends in the past, it was more modest than what is proposed for the birthday celebration. The JO’s belief is that this invitation is unique because it is a “milestone” birthday for the friend.

Relevant Provisions of the Code of Judicial Conduct: Rules 1.2, 2.11, and 3.13:

Rule 1.2 (Promoting Confidence in the Judiciary) states that a judge “should 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 2.11 (Disqualification) states, in relevant part, "A judge shall disqualify themselves in any proceeding in which the judge's impartiality might reasonably be questioned..."

Rule 3.13 (Acceptance and Reporting of Gifts, Benefits, or Other Things of Value), subsections (a) and (b) provide the following:

- a. A judge shall not accept any gifts, loans, bequests, benefits, or other things of value, if acceptance is prohibited by law or would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
- b. *Unless otherwise prohibited by law, or by subsection (a), a judge may accept the following without publicly reporting such acceptance: ... (2) gifts, loans, bequests, benefits, or other things of value from friends, relatives, or other persons, including lawyers, whose appearance or interest in a proceeding pending or impending before the judge would in any event require disqualification of the judge under Rule 2.11; (3) ordinary social hospitality... (Emphasis added).*

Comment (4) to Rule 3.13 states that while Rule 3.13 only applies to a judge, gifts by a third party to family (such as a spouse) may be viewed as an attempt to evade Rule 3.13 and influence the judge indirectly.

Relevant Judicial Ethics Decisions:

The relevant ethics opinions on the topic of acceptance of gifts and other things of value by a JO commonly focus on interpreting what constitutes "ordinary social hospitality". Rule 3.13(b)(3). These opinions evaluate the acceptance of social hospitality by the JO that is lower in value than other benefits and do not appear to undermine the judge's independence, integrity, or impartiality. See Comment 1, Rule 3.13(a). A JO who has received only "ordinary social hospitality" is not required to publicly report the accepted item. See Rule 3.13(b).

The Committee has previously opined on this issue of "ordinary social hospitality". In [JE 2014-19](#), the Committee determined that a JO may accept an offer to stay in a rental unit located at the same vacation condominium complex of a close family friend. The JO had agreed to pay for the cost of the rental. The Committee determined, based on the facts presented, that the use of the rental unit constituted "ordinary social hospitality". However, the Committee imposed conditions, a key one which stated that acceptance of the offer was contingent on the proposed hospitality being consistent with the hospitality that the JO and the JO's family have extended to their friends.

In arriving at its recommendation, the Committee took account of [JE 2009-04](#). Under [JE 2009-04](#), the Committee similarly determined that a JO and the JO's family could accept an invitation to spend several days with another couple, with whom they were close personal friends at the friends' vacation home. Both of the JO's friends were attorneys. The Committee reasoned, in view of the fact that the families regularly socialize together, that the invitation was part of ordinary social hospitality and was permissible.

Lastly, in Emergency Staff Opinion [JE 2015-23](#), the Committee determined that a JO may attend a free large holiday party, featuring food and entertainment, hosted by a law firm. However, the Committee imposed a condition that the JO was to determine whether the holiday gathering constituted "ordinary social hospitality" within the meaning of Rule 3.13 (b). The Committee stated that among the factors for consideration by the JO were whether the accepted benefits were going to be greater than the value of what the judge customarily provides their own guests and whether there was a history or expectation of reciprocal social hospitality. [JE 2015-23](#), citing [CA Advisory Opinion 43 \(1994\)](#) of the California Judicial Ethics Committee.

Jurisdictions outside Connecticut have also addressed whether gifts to JOs fit within the boundaries of ordinary social hospitality. For example, the NY Advisory Committee on Judicial Ethics (the "NY Committee") recently concluded that a quasi-judicial official may not accept an offer for a free weekend stay at the vacation home of an attorney. [NY Opinion 24-103](#). The NY Committee noted that "ordinary social hospitality" did *not* encompass "a party that provides guests with a complete dinner at an expensive restaurant, a cruise, or like affair that is more expensive or lavish than an ordinary party". [NY Opinion 24-103](#), citing [NY Opinion 87-15\[a\]\[b\]](#).

On September 3, 2020, the Standing Advisory Committee on Judicial Ethics for the Michigan State Bar (the "Michigan Committee") issued new guidance to judges on what gifts are considered "ordinary social hospitality". [MI JI-146](#). As a threshold matter, the Michigan Committee noted that certain fundamental principles underly the consideration of any gift acceptance by a judge. Notably, Michigan judges have a duty to uphold the integrity and independence of the judiciary as well as avoid the appearance of impropriety. See [MI JI-146](#); [MCJC Canons 1 and 2](#).

In addition, although not providing a "a one size fits all" standard, the Michigan Committee did provide useful examples of "ordinary social hospitality". The Michigan Committee stated that gifts of significant value, such as use of a vacation home or time-share and expensive gifts from a lobbyist or vendor, are not considered "ordinary social hospitality". [MI JI-146](#).

Discussion:

Consideration must be given first under Rule 3.13(a) as to whether acceptance of free accommodations, an expensive birthday meal, and other related expenses “would appear to a reasonable person to undermine the judge’s independence, integrity, or impartiality.” The information presented indicates an answer in the affirmative. The facts state that the planned birthday event will be expensive, held for approximately six days, and will be situated at a first-class resort outside the U.S. instead of a local destination. Moreover, despite the noted recusals by the JO, the trip event will be hosted by attorneys active in the Connecticut courts. A reasonable person may view these circumstances as creating a risk of weakening the neutrality of the courts or the appearance of impropriety. As such, acceptance of the friends’ offer would appear to a “reasonable person” to undermine the JO’s independence, integrity, or impartiality.

The Committee was presented with no information of the value of the proposed gift; however, the Committee reasonably infers that the value is beyond ordinary social hospitality. Rule 3.13(b)(3). Even if the JO was at a low risk of violating Rule 3.13(a), the listed exceptions that do permit acceptance of certain gifts, without any public reporting, do not appear to apply in this matter. In contrast to past opinions, whereby a judge was permitted, with conditions, to stay at a friend’s vacation home or rental unit, the trip in this case would include paid accommodations at a first-class resort and likely an expensive birthday meal. See [JE 2009-04](#) and [JE 2014-19](#). These circumstances plainly seem beyond the scope of “ordinary” social hospitality.

Additionally, the JO has indicated that the social hospitality exchanged by the JO and their attorney-friends in the past was more modest than this invitation. In other words, the offer under consideration is not of equal value to the parties’ prior exchanges. Lastly, similar offers of proposed hospitality previously discussed in the states of New York (expensive dinners or lavish parties) and Minnesota (free use of a vacation home) have been rejected by those judicial ethics committees as well. Based on these factors, the planned event does not meet the definition of “ordinary social hospitality”.

One other exception should be briefly addressed. Namely, gifts from the friends of the JO can be accepted, and are exempt from public reporting, if their appearance in a proceeding before the judge would in any event require disqualification of the JO under Rule 2.11. Rule 3.13(b)(2). The rationale being that there is no opportunity for the gift to influence the JO’s decision making due to their disqualification in any pending or future cases. Comment 2, Rule 3.13(b)(2).

However, the general principle of Rule 3.13(a) clearly overrides the exception in this instance. Again, a “reasonable person” could conclude that acceptance of expensive accommodations and meals may undermine the judge’s independence, integrity, or impartiality or an appearance of impropriety, *particularly since the event it is sponsored by*

lawyers. Thus, even with appropriate recusals, the information presented does not justify the application of this exception.

Recommendations:

Based upon the information provided and the Committee's analysis of the Code and applicable judicial ethics decisions, the Committee concluded that the JO's acceptance of the friends' gift would appear to a reasonable person to undermine the judge's independence, integrity, and impartiality in violation of Rule 3.13(a). Moreover, the proposed gift does not fall within the exclusions permitted under Rules 3.13(b)(2) or (3), even though the JO routinely recuses themselves from proceedings involving the friend or their law firm. The Committee also found that the acceptance of the gift would implicate the appearance of impropriety under Rule 1.2

Whether a Judicial Official's acceptance of a gift violates Rule 3.13 depends on the specific facts and circumstances, including the context in which the gift is offered. The Committee did not set or assign a particular monetary threshold that would trigger Rule 3.13. Instead, the determination is left to the Judicial Official's discretion, based on the details of the individual situation.

Accordingly, while the JO may still attend the birthday event, the JO and their spouse may not accept payment from the hosting couple for their accommodations, meals, and related expenses, and the JO shall continue to comply with the Code's rules on disqualification.

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