

Rule **4.310**. Judicial ethics committee and opinions.

(1) There shall be an ethics committee of the Kentucky judiciary consisting of one judge each of the Court of Appeals, the circuit court and the district court and two members of the Kentucky Bar Association appointed by the board of governors, none of whom shall be members of the judicial retirement and removal commission. The judicial members shall be selected by the members of their courts in the manner which each court selects. Each member shall serve for a term of four years from the date of his appointment. A chairman shall be elected by the ethics committee.

(2) Opinions as to the propriety of any act or conduct and the construction or application of any canon shall be provided by the committee upon request from any justice, judge or trial commissioner. If the committee finds the question of limited significance, it shall provide an informal opinion to the questioner. If, however, it finds the question of sufficient general interest and importance, it shall render a formal opinion, in which event it shall cause the opinion to be published in complete or synopsis form. Likewise, the committee may issue formal opinions on its own motion under such circumstances as it finds appropriate.

(3) Both formal and informal opinions shall be advisory only; however, the commission and the Supreme Court shall consider reliance by a justice, judge, or trial commissioner upon the ethics committee opinion.

(4) Any person affected by a formal opinion of the ethics committee may obtain a review thereof by the Supreme Court by filing with the clerk of that court within 30 days after the end of the month in which it was published a motion for review stating the grounds upon which the movant is dissatisfied with the opinion. The motion shall be accompanied by a copy of the opinion or synopsis as published and shall be served upon the ethics committee and, if the movant is someone other than the party who initiated the request for the opinion, upon the initiating justice, judge or commissioner. The filing fee for docketing such motion shall be as provided by Civil Rule 76.42(1) for original actions in the Supreme Court. (Adopted May 14, 1979, effective July 1, 1979.)