

Advisory Opinion #99-1 [originally drafted as 98-2]

(adopted January 22, 1999)

Question: *When is a sitting judge obligated in court proceedings to disclose discussions concerning future employment with an entity involved in litigation before the judge?*

Opinion: A judge should disclose the fact that the judge is discussing employment with an entity involved in litigation before the judge. For purposes of this opinion, “an entity involved in litigation before the judge” refers to any party, witness, attorney, government entity, or law firm directly involved in the litigation. Once disclosure has occurred, the judge should offer to recuse. Once the judge has accepted the job, the judge should recuse and disclose the basis for the recusal.