

PROPOSED AMENDMENT TO RULE 3.10

The Kansas Supreme Court is considering proposed changes to Rule 3.10 of the Kansas Code of Judicial Conduct to clarify that a judge or court staff does not violate Rule 3.10 by supervising a research attorney working for the Kansas Judicial Branch under a legal intern permit or a temporary permit to practice law. 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 with Rule 3.10 in the subject line.

RULE 3.10

Practice of *Law*

A judge must not practice *law*. A judge may act pro se and may, without compensation, give legal advice to and draft or review documents for a *member of the judge's family*, but the judge is prohibited from serving as the family member's lawyer in any forum. This rule does not prohibit the practice of law pursuant to, and in the context of, a judge's military service.

COMMENT

[1] A judge may act pro se in all legal matters, including matters involving litigation and matters involving appearances before or other dealings with governmental bodies. A judge must not use the prestige of office to advance the judge's personal or family interests. See Rule 1.3.

[2] A judge will remain subject to conflict of interest and impropriety constraints. See Rule 2.11.

[3] A judge or court staff does not violate this rule by supervising a research attorney working for the Kansas Judicial Branch under a legal intern permit or a temporary permit to practice law. See Supreme Court Rules 715 and 718.