

Honolulu, Hawaii

APR 04 2023

RE: S.C.R. No. 204

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.C.R.  
No. 204 entitled:

"SENATE CONCURRENT RESOLUTION STRONGLY URGING THE SUPREME  
COURT OF THE UNITED STATES TO ADOPT A FORMAL ETHICS CODE FOR  
THE JUSTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to strongly urge  
the Supreme Court of the United States to adopt a formal ethics  
code for the United States justices.

Your Committee received testimony in support of this measure  
from one individual.

Your Committee finds that in *Caperton v. A. T. Massey Coal  
Co.*, 556 U.S. 868 (2009), Justice Kennedy, writing for the court,  
stated that, "[judicial] codes of conduct serve to maintain the  
integrity of the judiciary and the rule of law". The code of  
conduct for United States judges is a set of ethical principles  
and guidelines adopted by the Judicial Conference of the United  
States and includes specific rules about ethics, integrity, and  
appearances of impropriety relating to outside business and  
political activities and the acceptance of gifts. The Judicial  
Conference, which promulgated the code of conduct, does not have  
the authority to bind the Supreme Court of the United States.  
Therefore, the nine justices of the Supreme Court of the United  
States are not bound by any code of conduct. This measure urges



the Supreme Court of the United States to adopt a code of conduct, which will promote openness, transparency, and trust in the judicial system.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 204 and recommends its adoption.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



