

## Chapter 6

### Judiciary Ethics

#### Answers

1. /B/ A judge may only accept a loan from a lending institution at market interest rates and other terms available to the general public. All lawyers who are members of the bar in the county are not “the general public.” Unless the standard is met, the loan from All Legal Savings and Loan is considered to be in part a gift. (A) is not the best answer because in theory disqualification would only be necessary if one of the lawyer owners brought in a matter in front of Judge Homer. (C) is incorrect because an individual stockholder of All Legal Savings and Loan could appear in front of Judge Homer. (D) is incorrect because the test is the rates and terms offered to the general public, not other lawyers.
2. /B/ Before becoming a candidate for a partisan non-judicial office – either in a primary or general election – a sitting judge shall resign their judicial seat. (A) is incorrect because a disqualification in certain cases would not excuse the judge’s improper political conduct. (C) is incorrect because who paid for the lunch is irrelevant. (D) is not the best answer because merely recording the transactions does not cure the prohibition against political campaigning by a sitting judge.
3. /A/ The best answer because disqualification is required if a

judge’s impartiality might be questioned; this includes an economic interest in the subject matter of the controversy, a party, or one of the lawyers. (B) is incorrect because the lawyer’s conflict “screening” exception does not apply to the judiciary and any financial dealings conducted by a member of the judge’s family. The fact that the wife is a partner of the purchaser does not relieve the judge of the responsibility to disqualify himself. (C) is incorrect because the judge still has a tainted financial interest regardless of the transaction’s price. (D) is incorrect because the thrust of the financial interest disqualification focuses on the judge’s interest in the transaction independently of the other parties to the transaction’s role or situation.

4. /D/ The best answer since a judge should disqualify herself in a proceeding in which the judge’s impartiality might reasonably be questioned. (A) is not the best answer because disqualification does not turn on the judge’s subjective feelings of impartiality, but rather whether a reasonable objective party would raise the question. (B) is not the best answer because when the event creating the potential disqualification occurred is irrelevant (even though seven years does seem like a significant cooling-off period). (C) is incorrect because if the appearance of partiality is present, the judge should reclude herself without the attorney having to file a motion to reclude or disqualify the judge.

5. /A/ Laurie became a “candidate” when she publicly announced her intention to run or filed for the office. The question here is the permissible campaign activities for a new candidate for election to an open seat on the local bench. Although some of the five listed activities may seem inappropriate in some circumstances for a candidate, each and every activity listed is specifically approved by the Code of Judicial Conduct. (B) is incorrect because it involves an incorrect combination of the allowed alternatives. (C) is incorrect because it involves an incorrect combination of the allowed alternatives. (D) is incorrect because it involves an incorrect combination of the allowed alternatives.
6. /B/ The use of the prestige and influence of a judge’s office to raise funds for an organization described in this question is improper. While mere participation as an alumna of a law school is not improper, the personal solicitation of funds seems to misuse the prestige and influence of the judge’s office which is improper. (A) is incorrect because “never” is an absolute word – “never say never.” (C) is incorrect because it is likely that some of Judge Laurie’s classmates are practicing law and will bring matters in Superior Court. (D) is incorrect because the prestige and image of a judge in raising funds may imply quid-pro-quo access or special privilege which is improper.
7. /D/ The best answer because the basic test of acceptable extra-judicial

activities by a judge is whether the behavior will exploit the judicial position. (A) is not the best answer because involvement of the law is not the most important basic disqualification whether the position exploits the judge’s judicial position. (B) is incorrect because it is too simplistic and “always” is an absolute word. (C) is not the best answer because the materiality of the income received by the judge is not as important a factor as exploiting the judicial perceived impartiality.

8. /C/ The best and broadest answer because a judge or candidate for judgeship should not make a pledge, promise, or commitment about a matter likely to come before her court. (A) is incorrect because the public comment prohibition applies to matters before any court, not just that particular judge. (B) is incorrect because while attendance in front of the committee might have been compelled, the judge should have declined to answer that question. (D) is not the best answer since the topic of political philosophy is different from a public comment about a matter in litigation pending before any court.
9. /A/ A judge is permitted to consult with other judges about the law without having to notify the attorneys for both sides in the controversy. (B) is not the best answer because a judge is not a “disinterested expert,” and there is no requirement to inform the attorneys for both parties in the matter. (C) is incorrect because the exclusion from the ex parte rule includes consultation from all

judges, even if not currently serving on the same court. **(D)** is incorrect because a judge is permitted to consult with other judges without being required to notify the attorneys for both sides in the controversy.

10. **/B/** A judge should disqualify herself in a matter where a lawyer with whom she practiced law served as the lawyer during the prior association. The fact that she did not work on the matter is not relevant. **(A)** is incorrect because disqualification may not be avoided by disclosure and written waiver in this circumstance. **(C)** is incorrect because it is not necessary that the judge personally participated in the matter if one of her partners did while she was associated with the firm. **(D)** is incorrect because the lack of a financial interest in the matter does not obviate the required judicial disqualification.

11. **/A/** The best answer because while a judge shall not voluntarily testify as a character witness, they may always be subpoenaed and must appear (or at least file an objection or motion to squash). **(B)** is not the best answer because when the opinion as to character was formed is not controlling as to whether the prohibition on judges testifying applies. **(C)** is not the best answer because it disregards the possibility of an involuntary requirement to testify. **(D)** is incorrect because the absence or lack of personal knowledge about the matter of the expected testimony is not relevant to the general prohibition on a judge testifying about a person's character.

12. **/C/** While normal wedding presents may be accepted by a judge, the magnitude of the gift – \$25,000 – might easily create the appearance of impropriety and create doubt about the impartiality of the judge. **(A)** is incorrect because friendship is not enough to make accepting an otherwise impermissible large wedding gift proper. **(B)** is incorrect because reporting is not enough to make accepting an otherwise impermissible large wedding gift proper. **(D)** is not the best answer because the fact that Friendly Fred regularly appears in Judge Rudy's court is not as compelling a reason in this situation as the dollar magnitude of the gift in question.

13. **/D/** A sitting judge who decides to run for a non-judicial office must resign her judicial office immediately (actually this usually should occur before announcing her candidacy, but that is not one of the given alternatives). **(A)** is incorrect because it is the appearance of impropriety that is put at risk, irregardless of the affect on any judicial duties. **(B)** is not the best because disqualification unless both parties do not object does not cure the appearance of impropriety. **(C)** is not the best answer in that resignation is required even if there are no requests for disqualification.

14. **/A/** The best answer because a judge should not accept appointment to any quasi-governmental body that concerns factual or legal matters other than improvement of the law, the legal system, or the administration of justice. **(B)** is not the best answer because this quasi-

political appointment could be interpreted as forbidden political activity. (C) is incorrect because the appointment should be declined even if none of the immigrants appear in Judge's court. (D) is incorrect because appointment to a quasi-political organization should be declined even if a judge makes no political speeches associated with the organization.

15. /A/ If a judge's impartiality towards a party might reasonably be questioned, disqualification is proper. (B) is incorrect because whether the prior investigation is related or not to the present case is irrelevant if the judge is adversely influenced by the prior investigation. (C) is incorrect because the standard is the perception of an objective third party whether the judge is prejudiced against Susan. (D) is incorrect because while it might indicate a reason for suggesting the judge may be prejudiced against Susan, the better answer focuses on the potential prejudice.

16. /C/ This alternative contains the three true statements. A judge may receive reasonable compensation for making a speech as long as the topic is not a case or controversy and the speech does not erode confidence in the integrity and impartiality of the judiciary. Further reimbursement of reasonable expenses incurred by the judge speaker is not improper. (A) includes an incorrect or incomplete listing of the correct alternatives. (B) includes an incorrect or incomplete listing of the correct alternatives. (D) includes an incorrect or incomplete

listing of the correct alternatives.

17. /C/ The best answer because a judge must be prompt in judicial administration and expedite matters and controversies on his docket. (A) is incorrect because this does not excuse administrative misconduct by a judge. Further, such matters may be interlocutory and thus not appealable until a final decision on the merits is reached below. (B) is not the best answer; while the judge is allowed wide discretion in administrative matters, there still is a duty to be prompt in judicial administration and expedite matters and controversies. (D) is not the best answer; while encouraging settlement is not improper, this can not be at the expense of denying litigants a prompt determination on the merits of their case.

18. /D/ Candidates for judicial office shall not knowingly misrepresent the qualifications or other fact of an opponent for a judicial position. Alice did not know the staff member's report was in error and it was consistent with other sources of information and personal observation; as such, reliance was likely reasonable. (A) is incorrect because the issue is whether Alice had knowledge of the falsity, not the truth of the statement itself. (B) is incorrect because under these circumstances it was probably not reasonable to put a duty of personal examination of the records absent some reason to suspect that an error may have been made. (C) is incorrect; the mere fact a sitting judge decides to run in a contested election does not entitle the challenger to knowingly

make misrepresentations about the judge's background or record.

19. /D/ Ex parte communication by a judge to an impartial expert on a technical aspect of the law is not improper if all the parties in the matter are notified and allowed an opportunity to respond to the expert's input. (A) is incorrect because a judge can initiate an ex parte communication to an impartial expert as long as all parties are notified and allowed an opportunity to respond to the expert's input. (B) is incorrect because it is not necessary for the judge to obtain a waiver from the parties as long as they are informed of the ex parte communication and allowed an opportunity to respond. (C) is incorrect because even if one of the parties is unhappy with the judge's ex parte communication, their sole remedy is to respond to the expert's advice.

20. /C/ Three of the five statements made by a sitting judge seeking re-election are improper. Statement I is not improper. Statement II is improper because it contains a promise or pledge of future judicial conduct by a judge. Statement III is improper because the judge is taking a position on a case and controversy in litigation. Statement IV is not improper. Statement V is improper since a candidate may not directly solicit campaign contributions (but may through a campaign committee). (A) is incorrect because it involves the wrong combination of improper and proper statements. (B) is incorrect because it involves the wrong combination of improper and proper statements. (D) is

incorrect because it involves the wrong combination of improper and proper statements.

21. /C/ A judge may accept a contribution for a judicial election only if given to their campaign committee and the amount does not exceed the state dictated maximum; \$1,000 is normally allowed. (A) is incorrect because even if the contribution is anonymous, it must be given to the campaign committee and not directly to the candidate. (B) is not the best answer since a \$1,000 cash contribution and donor's identity would have to be reported. The candidate will have to sign the report and thus could learn of the identity of the source and amount of the contribution going to their campaign. The only hard and fast requirement is that the contribution is made to a campaign committee. (D) is incorrect because it is irrelevant whether the contributing lawyer appears frequently in the court to which the candidate is seeking election. Still the interpretation could be that this is an attempt to influence the judge thus suggesting that the judge should recuse themselves in matters involving the contributor.

22. /C/ To abate this impartiality grounds for disqualification, the judge must obtain from both parties consent to the waiver of the disqualification; here the remittal agreement was not entered into the record. (A) is incorrect because the general rule is recusal by the judge is to be sua sponte; it is not necessary that the parties file a motion to disqualify. (B) is incorrect because the financial/economic interest in the dispute extends to a judge's

spouse, household members, or dependents. (D) is not the best answer because the Judge's conflict of an financial/economic interest may be waived if it meets certain requirements that were not satisfied in this case.

23. /B/ The best answer. Statement I does not commit the judge, but is only a non-enforceable recommendation for legislative referral. Statement II does not refer to an future particular position that directly relates to future cases or controversies. (A) is incorrect because statement II is also an acceptable statement. (C) is incorrect because statement III commits the judge to a position in a future case or controversy. Judges are required to rule on the basis of the facts and law presented in an individual case in their court and not on any pre-committed position(s).

24. /A/ An incumbent judge seeking reappointment without a present individual opponent may organize a campaign committee and seek support for reappointment if they are opposed. (B) is incorrect because "every" is an absolute word and judges who are appointed without an election may not usually start campaign committees or raise or accumulate funds. (C) is incorrect because the White decision allows a judge to announce personal opinions and the thrust of the question is on starting a campaign committee and raising funds, not taking position on a potential political issue. (D) is incorrect because a judge seeking reappointment who is opposed may

organize a campaign committee and promote public support.

25. /C/ A judge may act in a fiduciary capacity for a family member as long as it does not interfere with their judicial duties and related proceedings will not come on before the court on which the judge serves. Here the judge serves only on the criminal division and any guardianship proceeding would come on before the civil division. It is thus an exception against the prohibition on judges practicing law and treated more like a part-time judge. (A) is incorrect because merely preparing and executing documents for a family member is an exception to the prohibition upon the practice of law by judges. (B) is not the best answer since any appearance on behalf of the guardianship would be in civil division, not the criminal division in which Judge Charlie serves. (D) is not the best answer because a judge may serve as a fiduciary for a family member as long as any compensation is not substantial in amount; here the facts do not state that the judge will receive compensation so by implication, the amount would not be substantial. In addition, C is a better answer than D because it contains a higher level of argument why the role is not improper.

26. /B/ A former judge may not represent either party in a matter in which the judge participated personally and substantially while previously on the bench. Substantial participation excludes mere administrative responsibility in the matter such as case scheduling and

assignment. (A) is not the best answer because the issue turns on the extent of the personal involvement of the prior judge more than the degree of information which might have been learned by the prior judge. (C) is incorrect because there is not a prohibition on an attorney appearing before a judge of a court on which they previously sat. (D) is incorrect because the official action of the prior judge in the proceeding was merely administrative.

27. /C/ The best answer because even if a former judge participated personally and substantially while on the bench and is thus disqualified, another lawyer in her firm may take on the case as long as the former judge is properly screened and does not receive any portion of the fee for the representation. (A) is incorrect because the screening mechanism cures the potential disqualification. (B) is incorrect because the screening mechanism cures the potential disqualification. (D) is incorrect because the screening mechanism cures the potential disqualification.

28. /D/ A judge may not herself, or through her staff, engage in ex parte communication with one of the parties. The fact that the judge decided against the party that engaged in the ex parte communication does not approve the court's improper conduct. (A) is incorrect because contested facts do not excuse improper ex parte communication. (B) is incorrect because the fact the communication was made by the

judge's employee and not herself is irrelevant. Similarly, the fact that there was some evidence presented at trial that was consistent with the court's verdict does not excuse the court's improper conduct. (C) is not the best answer because even if the three witnesses interviewed ex parte did appear at trial, the court's improper conduct was not cured.

29. /A/ The only correct combination of alternatives. A judge may not personally solicit contributions for a non-profit organization. (B) is incorrect because a judge may serve as a honorary director of a non-profit charitable organization as long as legal advice is not rendered, may contribute her personal funds to the charity and attend fund raising events for the non-profit charitable organization. (C) is incorrect because it involves the wrong combination of alternatives. (D) is incorrect because it involves the wrong combination of alternatives.

30. /B/ A campaign committee may seek public and attorney endorsements for a judicial candidate. The committee may also solicit monetary contributions for the campaign however no portion thereof (even if a balance remains unspent) may be used for the private benefit of the candidate. (A) is incorrect because it is an incorrect combination of alternatives. (C) is incorrect because it is an incorrect combination of alternatives. (D) is incorrect because it is an incorrect combination of alternatives.

31. /C/ The adjudicative decision-making absolute immunity does not

necessarily apply to administrative functions. (A) is incorrect because the immunity is limited to adjudicative decision-making. (B) is not the best answer because the Judge's immunity is absolute as it relates to adjudicative decision-making functions. (D) is incorrect; while this may be true in a few circumstances, it does not serve to distinguish judges from other public officials who hire and fire subordinates. See Forrester v. White, 484 U.S. 219 (1988)

32. /D/ A violation occurred since a reasonable person, knowing the relevant facts, would expect the judge knew enough of the circumstances to create an appearance of partiality, notwithstanding the judge's position that she was unaware of the circumstances. The risk of undermining the public's confidence in the judicial process was clear and the judge should have disqualified herself. (A) is incorrect because the critical fact creating the need for the judge to disqualify herself was that the University was a party in interest. (B) is incorrect because the critical fact creating the need for the judge to disqualify herself was that the University was a party in interest. (C) is incorrect because the critical fact creating the need for the judge to disqualify herself was that the University was a party in interest. See Liljeberg v. Health Services Acquisition Corp., 486 U.S. 847 (1988) which vacated the judgment entered by the tainted judge.

33. /B/ The best answer because CJC 3(c)(1) states that reporting is mandatory only if the reporting

judge has actual knowledge that another judge has committed a violation. Here there are mere suspicious circumstances that should be investigated. (A) is not the best answer since it omits actual knowledge by the judge as a prerequisite to mandatory reporting. (C) is not the best answer because the reporting duty becomes mandatory upon receiving actual knowledge independently of whether a request is made by an appropriate authority. (D) is incorrect because a judge's duty to report violations by another judge is mandatory if the above prerequisites are present.

34. /D/ The best answer because a judge gaining actual knowledge of a lawyer's misconduct must take appropriate action. Under these facts where the jury is going to make the ultimate decision, the appropriate action for the judge might simply be to discuss the matter with the attorneys privately. (A) is incorrect because reporting to the appropriate authority is only one form of action available to the judge. (B) is incorrect because the judge may decide the appropriate action is to report, but that is not mandatory. (C) is incorrect because this would be ex parte communications. If the information the judge heard was associated with perjured testimony, the judge might decide to declare a mistrial.

35. /C/ The best answer because judges campaigning for office should not make pledges or promises of future conduct and state their views on matters which may come before them in the future. Even though

the time for appeal has run in this case, the same issue may come before him in another case (particularly when defense lawyers learn this judge is enforcing such provisions). Statement III is only a statement indicating an authority that has the power to change the judge's position; such a statement is not improper. (A) is incorrect because it involves an incorrect combination of alternatives. (B) is incorrect because it involves an incorrect combination of alternatives. (D) is incorrect because it involves an incorrect combination of alternatives.

36. /B/ A judge has an obligation to take appropriate corrective action if the judge gains actual knowledge of a potential MRPC violation by a lawyer; this would include providing requested information to the appropriate state disciplinary authority. (A) is incorrect because the duty to cooperate in the investigation exists whether or not the judge previously imposed litigation sanctions. (C) is incorrect because the duty to cooperate in the investigation exists whether or not the judge previously imposed litigation sanctions. (D) is incorrect because providing information to the bar association is not the same as providing character testimony at trial for a lawyer.

37. /C/ Only three of the four listed functions are proper. I is correct because serving on a non-profit law school board is proper. II is correct because serving as a voluntary judge in a law school moot court competition is proper. III is likely correct because teaching a standard

law school course is proper activity for a judge. IV is incorrect because participation by name in such a large fund raising effort likely exploits the judge's prestige and station of the judge's office. (A) is incorrect because it involves an incorrect combination of alternatives. (B) is incorrect because it involves an incorrect combination of alternatives. (D) is incorrect because it involves an incorrect combination of alternatives.

38. /A/ The only correct combination of the four question alternatives which are improper. I is proper because factual educational accomplishments may be stated by a judge up for re-election. II is improper because the judge herself may not personally solicit public statements of support (although her campaign committee probably could). III is improper because the judge herself may not personally solicit campaign contributions (although her campaign committee probably could). IV is a close call but the statement is probably proper because judges must swear to uphold the constitution. So the "cases and controversies" category would not seem to include this basic non-controversial orientation to which all judges must conform.

39. /B/ The best answer because if all campaign funds raised go into an independent campaign committee this avoids the prohibition on the judge directly receiving such funds. (A) is incorrect because a lawyer may generally raise money for a judge's campaign and also practice in the same court later. (C) is incorrect because there is no

prohibition on a campaign committee receiving money from lawyers. (D) is a close call, but the candidate is required to report all contributions after the election in the campaign finance report and this requires them learning of the identity of the contributors.

40. /B/ A judge may appear at a hearing or contact a political body concerning matters that involve the law and administration of the legal system. (A) is incorrect because there is no requirement that a judge determine the ultimate detrimental effect on the administration of justice before contacting the responsible political body for relief. (C) is incorrect because the judge is not practicing law by merely contacting the mayor and Chair of the Judicial Committee and suggesting they pursue a judicial determination of the funding level. (D) is incorrect because a judge may properly question the legality of the political action which had an adverse effect on the legal system and administration of justice.

41. /C/ The best combination of alternatives. I requires disqualification because the judge's child is an officer in an organization that is a party. II requires disqualification because the judge's sibling (through marriage) is acting as a lawyer in the proceeding. III does not require disqualification because the matter was not being handled by the law firm when the judge was there. IV does not require disqualification because a cousin is not considered within the third degree of relationships. (A) is incorrect because it includes

incorrect alternatives. (B) is incorrect because it includes incorrect alternatives. (D) is incorrect because it includes incorrect alternatives.

42. /D/ A judge may not use non-public information acquired in a judicial proceeding in their personal business dealings. (A) is incorrect because tipping off another – especially a close relative like a judge's son – would also be deemed improper use of extra-judicial information. (B) is incorrect because disclosure in the judge's annual report does not cure the improper use of information acquired in a judicial proceeding. (C) is incorrect because disclosure to the corporation does not cure the improper use of information acquired in the judicial proceeding.

43. /C/ A judge should avoid significant business transactions with lawyers or persons likely to come before him. (A) is incorrect because it is the regular appearances in front of the judge that adversely reflects on the judge's impartiality that is the main problem. (B) is incorrect because the ownership interest should have been disposed of when the judge won the election. (D) is incorrect because a judge may hold investments while on the bench as long as there is not an adverse reflection on his impartiality.

44. /A/ The correct answer because only one (number III) of the alternatives presented is proper. I is improper because a judge may not be a manager of a business entity unless the business is closely-held by the judge or his family and this exception is not stated in the facts.

II is improper because a judge shall not become involved in his private capacity as an arbitrator or mediator. III is proper because while a judge may not become a member of an organization that practices “invidious discrimination” there is an exception if the organization is religious in nature. IV is improper because a judge may belong to not-for-profit entities intended to improve the administration of justice but may not usually participate in fundraising activities. V is improper because in most jurisdictions campaign activities may not begin more than one year before the election. (B) is an incorrect combination of alternatives. (C) is an incorrect combination of alternatives. (D) is an incorrect combination of alternatives.

45. /C/ The best answer because a judge may not become a member of an organization that practices employment discrimination based upon gender since that activity violates state law. (A) is not the best answer because the facts do not say that the state statute had an exception for bona fide job qualifications. (B) is incorrect because the violation of the state statute makes the judge’s continuation a judicial violation regardless of the impact on her judicial activities. (D) is not the best answer because there is an exception that applies to family owned businesses.

46. /C/ The only correct combination of alternatives. I is improper because a judge may not endorse a candidate for public political

office. II is improper because even a candidate for an elected school board position is usually considered a candidate for public office. III is proper; while attending a partisan political gathering is not usually allowed, an exception applies if the gathering is celebrating a significant historical or patriotic event. IV is proper because a judge may normally register to vote under a political party designation.

47. /C/ The only correct combination of alternatives. I is improper because a judge may not serve on a government commission unless it was intended to improve the administration of the law, the legal system, or judicial administration that do not apply here. [CJC 4C(2)] II is proper because a judge may usually serve as an official representative at a cultural or historical activity. III is proper because a judge may usually serve as an officer of the board of a local law school.

48. /B/ The only correct combination of alternatives. A judge may explain to media reporters for public information the procedures of the court which were involved in concluding the matter. In comparison, a judge should not comment or criticize jurors for their verdict because such may impair jurors’ independent judgment in subsequent trials. (A) involves an incorrect combination of alternatives. (C) involves an incorrect combination of alternatives. (D) involves an incorrect combination of alternatives.

49. /B/ The prohibition on a judge's voluntary testimony applies if the testimony involves the character of a party; here, the judge would merely be a fact witness. (A) is not the best answer because even if the court is under her appellate jurisdiction, a judge may testify as a fact witness. (C) is incorrect because judges may testify as a fact witness. It is only if the judge is testifying as a character witness that there is a restriction. (D) is incorrect because a judge may testify as a fact witness even if the final decision in the case could be appealed to her court of appeals.

50. /C/ It is proper for the judge to respond to both of the personal position questions if the positions contained within the questionnaire are not used in a context which also contains a pledge, promise, or commitment to decide cases in a particular matter. [Republican Party v. White] A contains an incorrect combination of alternatives. B contains an incorrect combination of alternatives. D contains an incorrect combination of alternatives.

51. /A/ The general rule is that a judge may not meet with a public official is subject to an exception if the matter involves the judge's personal interests. (B) is not the best answer because the reporting of the meeting is not relevant if the judge was acting in a matter that involves only her private interests. (C) is incorrect because while the general rule is that a judge should not meet with a public official, the rule is subject to certain exceptions, one of which is if the matter involves only a private

concern of the judge. (D) is not the best answer; while an exception exists for meeting with an official on a matter of the administration of justice, the thrust of this question is the exception applicable to a meeting involving the private interests of the judge.

52. /D/ A judge may own and manage family investments unless the management and financial interests require frequent disqualifications. (A) is incorrect because the general rule allowing family ownership only applies if frequent disqualifications do not result. (B) is not the best answer because a better answer goes to the risk of frequent disqualification. (C) is not the best answer because while true, the management is only proper if it does not interfere with a judge's official duties.