

RULE 3.5 Impartiality and Decorum of the Tribunal

A lawyer shall not:

(a) give or lend anything of value to a judge, official, or employee of a tribunal except as permitted by the Kansas Code of Judicial Conduct as it may, from time to time be adopted in Kansas, nor may a lawyer attempt to improperly influence a judge, official or employee of a tribunal, but a lawyer may make a contribution to the campaign fund of a candidate for judicial office in conformity with the Kansas Code of Judicial Conduct;

(b) communicate or cause another to communicate with a member of a jury or the venire from which the jury will be selected about the matters under consideration other than in the course of official proceedings until after the discharge of the jury from further consideration of the case;

(c) communicate or cause another to communicate as to the merits of a cause with a judge or official before whom an adversary proceeding is pending except:

- (1) in the course of official proceedings in the cause;
- (2) in writing, if the lawyer promptly delivers a copy of the writing to opposing counsel or to the adverse party if unrepresented;
- (3) orally upon adequate notice to opposing counsel or the adverse party if unrepresented;
- (4) as otherwise authorized by law or court rule;

(d) engage in undignified or discourteous conduct degrading to a tribunal.

[History: Am. (a) effective July 1, 2007; Am. (a) effective September 13, 2016.]

Kansas Comment

[1] Rule 3.5 has imposed an absolute prohibition upon a lawyer giving or lending anything of value to a judge or official, except as permitted by the Code of Judicial Conduct. In other words, a lawyer may ethically give what a judge may ethically receive.