

## Rule 611

### CONFIDENTIALITY

- (a) All complaints, investigations, reports, correspondence, proceedings, and Commission records are private and confidential and must not be divulged except as provided in these rules or by Supreme Court order.
- (b) This rule does not prohibit:
  - (1) an Inquiry Panel from disclosing a complaint to a judge when a response is requested from the judge;
  - (2) an Inquiry Panel from disclosing a copy of a judge's response to the complainant; or
  - (3) the complainant or the judge from disclosing the existence of a complaint or from disclosing any documents or correspondence filed by, served on, or provided to that person.
- (c) The confidentiality provisions of this rule do not apply to the following:
  - (1) a formal complaint under Rule 615 or any document filed with or issued by the Hearing Panel;
  - (2) any hearing held before a Hearing Panel;
  - (3) any information the Commission or a panel submits for use in any current or future criminal prosecution or ouster proceeding against a judge; and
  - (4) the final disposition of a formal proceeding.
- (d) The Commission or a panel is authorized, in its discretion, to disclose relevant information and to submit all or any part of its files to the following:
  - (1) the disciplinary administrator for use and consideration in investigating or prosecuting alleged violations of the Kansas Rules of Professional Conduct; and
  - (2) the Judges Assistance Committee.
- (e) Upon written request, the Commission will disclose complaint dispositions that find a violation of the Code of Judicial Conduct to the Supreme Court Nominating Commission, District Judicial Nominating Commissions, and the Governor for use and consideration in evaluating any person being considered for judicial appointment.
- (f) The Examiner's work product, Hearing Panel deliberations, and records of the Hearing Panel's deliberations are confidential and not subject to disclosure.

**[History:** New rule adopted effective May 1, 2019.]