

Rule 614

DISPOSITIONS OF AN INQUIRY PANEL; JUDGE

- (a) **Judge.** “Judge,” as used in this rule, means any Court of Appeals Judge, District Judge, District Magistrate Judge, Senior Judge, Retired Judge accepting judicial appointments, Municipal Court Judge, Master, Referee, Judicial Hearing Officer, Temporary Judge, Pro Tempore Judge, Part-time Judge, or Commissioner who performs any functions of a judge in any court of this state. A “judge” also includes a candidate for judicial office; a candidate is a person seeking selection for or retention in judicial office by election or appointment.
- (b) **Dispositions.** An Inquiry Panel may make one of the following dispositions by a majority vote of the panel members voting.
- (1) If no violation is found, the Inquiry Panel may:
 - (A) dismiss the complaint; or
 - (B) dismiss the complaint and issue a letter of informal advice to the judge.
 - (2) If a violation is found, the Inquiry Panel may:
 - (A) issue a letter of caution to the judge;
 - (B) issue a cease-and-desist order as set forth in subsection (c) below; or
 - (C) refer the matter for formal proceedings under Rule 615.
- (c) **Cease-and-Desist Order.** A cease-and-desist order must specify if it is private or public. If the Inquiry Panel issues an order directing a judge to cease and desist, the Secretary must serve a copy of the order on the judge. K.S.A. 60-303(c) controls service of any papers or notices, unless otherwise provided in these rules. Within 20 days after service of the order, the judge must either (1) agree to comply with the order by accepting the order in writing where indicated and returning a signed copy of the order to the Secretary, or (2) refuse to accept the order by notifying the Secretary it is not accepted. The order is deemed to have been refused if the Secretary receives no response from the judge within 20 days after service of the order. If a judge accepts a public cease-and-desist order, the complainant will be provided a copy of the order. If the judge refuses to accept the order, the Inquiry Panel may refer the matter to the Examiner and may institute formal proceedings.

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