

Ethical Dilemmas

Scenario #1

The Judge knows the lawyer for one of the parties; the lawyer was a college classmate of the conciliator, and they see each other yearly at college reunions.

Questions

1. What ethical standards apply and/or would be helpful in providing guidance for the judge in this scenario?
2. What course of action would you take as the JSC judge?
3. Is this different if you are the Trial Judge?

Scenario #2

In a business divorce case, Partner A discloses to the judge that he is personally about to receive a substantial contract from one of the partnership's best clients, and that his partner does not know this; Partner B would balk at their 50/50 division of assets if he knew. Partner A insists that the judge not disclose this information to his partner, or he will quit the conciliation.

Questions

1. What ethical standards apply and/or would be helpful in providing guidance for the JSC Judge in this scenario?
2. What course of action would you take as the judge?
3. Is this different if you are the Trial Judge?

Scenario #3

Consumer dispute with an insurance company over an alleged overcharge. The judge is currently in a dispute with his insurance company over another issue (underpayment on a loss claim). Disclose?

Questions

1. What ethical standards apply and/or would help provide guidance for the JSC judge in this scenario?

2. What course of action would you take as the judge?
3. Is this different if you are the Trial Judge?