

## AMENDMENTS TO THE OHIO CODE OF JUDICIAL CONDUCT

The following amendments to the Ohio Code of Judicial Conduct (Jud. Cond. R. 1.4) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

February 12, 2026      Final adoption by conference  
February 12, 2026      Effective date of amendments

Key to Proposed Amendments:

1.      Unaltered language appears in regular type. Example: text
2.      Language that has been deleted appears in strikethrough. Example: ~~text~~
3.      New language that has been added appears in underline. Example: text

# OHIO CODE OF JUDICIAL CONDUCT

## Canon 1

A judge shall uphold and promote the *independence, integrity, and impartiality* of the judiciary, and shall avoid *impropriety* and the appearance of *impropriety*.

[Existing language unaffected by the amendments is omitted to conserve space]

### **RULE 1.4 Protected Statements by Judges and Judicial Candidates**

A judge or *judicial candidate* maintains their constitutional protections and may express views in a non-adjudicative capacity regarding issues or beliefs. It is not professional misconduct for a judge or *judicial candidate* to engage in speech or conduct protected by the United States and Ohio Constitutions, including Article I, Section 6 of, or the First Amendment to, the United States Constitution as well as Article I, Section 11 or Article II, Section 12 of the Ohio Constitution.

#### **Comment**

[1] This rule should not be interpreted as endorsing judges or judicial candidates making pledges, promises, or commitments regarding issues that are, or may come, before the court. A judge or judicial candidate should refrain from making such pledges, promises, or commitments on matters that could come before them. See Rules 2.10 and 4.1(A)(5).

[2] While the restrictions in Rules 2.10 and 4.1 on judicial speech are essential to the maintenance of the independence, integrity, and impartiality of the judiciary, a judge or judicial candidate may engage in constitutionally protected speech. See Scope [5].

[3] If pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of a judicial office are made, then a judge should disqualify himself or herself if the issue on which the judge made pledges, promises, or commitments comes before them in a case. See Rule 2.11(A)(5). Simply making a protected statement is not, by itself, a reason for discipline. *Disciplinary Counsel v. Grendell*, Slip Opinion No. 2025-Ohio-5239. Accord, *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002); *In re Judicial Campaign Complaint Against O'Toole*, 141 Ohio St.3d 355 (2014).