

IN THE SUPREME COURT OF THE STATE OF KANSAS

RULES RELATING TO JUDICIAL CONDUCT

**RULE 607**

CONFIDENTIALITY

Rule 607 is hereby amended, effective the date of this order:

(a) All complaints, investigations, reports, correspondence, proceedings, and records of the commission shall be private and confidential, and shall not be divulged in whole or in part to the public except as provided in these rules or by order of the court. ~~This rule of confidentiality, however, shall not apply to a written notice of formal proceedings issued pursuant to Rule 611(b), or to any document filed with or issued by the commission thereafter, or to any hearing held before the hearing panel pursuant to Rules 614 and 619.~~

~~(b) The rule of confidentiality shall not apply to the complainant or to the respondent.~~

~~(c) The rule of confidentiality shall not apply to any information which the commission or a panel considers to be relevant to any current or future criminal prosecution or ouster proceedings against the judge.~~

(b) The commission may, in the course of an investigation, provide a copy of the complaint to the judge. If the judge files a response to the complaint, the commission may, in its discretion, provide a copy of the response to the complainant.

(c) This rule does not prohibit 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. The remainder of the Commission's file remains confidential.

(d) This rule does not apply to:

(1) a written notice of formal proceedings issued under Rule 611(b) or any document filed with or issued by the commission thereafter;

(2) any hearing held before a hearing panel under Rules 614 and 619; and

(3) any information that the commission or a panel considers relevant to any current or future criminal prosecution or ouster proceeding against the judge.

~~(d)~~ (e) The commission or a panel is authorized, in its discretion, to disclose relevant information and to submit all or any part of its files:

(1) to the Disciplinary Administrator for his or her use and consideration in investigating or prosecuting alleged violations of the Supreme Court Rules Relating to Discipline of Attorneys;

(2) to the Impaired Judges Assistance Committee; and

(3) to the Supreme Court Nominating Commission, District Judicial Nominating Commissions, and the Governor for use and consideration in evaluating any prospective nominee for judicial appointment.

~~(e) 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 Impaired Judges Assistance Committee.~~

~~(f) The commission or a panel is authorized, in its discretion, to disclose to the Supreme Court Nominating Commission, District Judicial Nominating Commissions, and to the Governor, all or any part of its file involving any prospective nominee for judicial appointment; and the commission or a panel is authorized, in its discretion, to make public all or any part of its files involving any candidate for election to or retention in judicial office.~~

By order of the Court, this 7 day of February, 2011.

FOR THE COURT



Lawton R. Nuss  
Chief Justice