



ETHICAL REQUIREMENTS

Judge Dr. Klaus-Dieter Drüen

GERMANY

Ethical requirements . Judicial moonlighting and deputy judges.

IATJ conference September 2015

Wouter van Nispen tot Sevenaer

Court of Appeal, Amsterdam, The Netherlands

An eternal struggle

(intranet page integrity committee)

Rules and codes

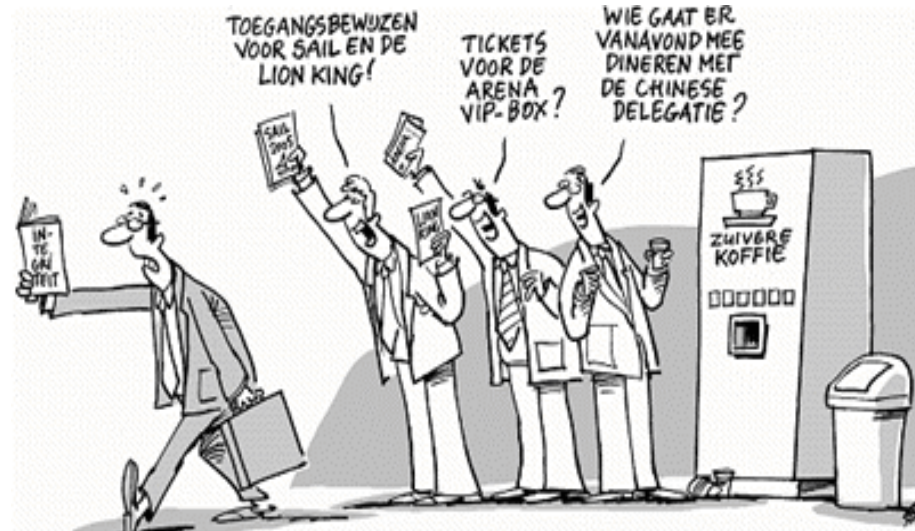
- Code of conduct e-mail en internet use
- Code of conduct of the Judiciary
- Code of integrity of the Court of appeals 's-Hertogenbosch
- Directive on impartiality and secondary activities
- Code for the Judiciary NVvR

Protocols

- Protocol committee for integrity
- Protocol substitute justices
- Protocol legal proceedings colleague or family

Other documents

- Policy on giving courses to lawyers
- Undesirable friends or other private contacts



Moonlighting



to Moonlight

'mu:nlʌɪt/

verb informal

gerund or present participle: **moonlighting**

have a second job, typically secretly and at night, in addition to one's regular employment.

"he had been moonlighting for a rival tabloid"

Moonlighting by judges: secondary activities

- Code of conduct: “recommendations” (not rules)
- General recommendation: prevent loss of trust in the judiciary
- Specific recommendations:
 - no cases in which judge is/was involved in other capacity (“avoid any discussion”)
 - no commercial activities
 - only outside working hours (▶ allowed to keep fee)
 - declare all activities: public register

Moonlighting by lawyers: the substitute judge



- *Not* in it for the money
- Guidelines
 - Not active in same district (as judge(!) or lawyer)
 - Max 1 in a 3 judge panel
 - Not as chair / not as unus
 - Not when she/her office has interest in outcome
 - Not if he has publicly expressed point of view