

THE SUPERVISORY COMMITTEE FOR JUDGES

The Supervisory Committee for Judges is a disciplinary body for Norwegian judges, including all professional judges in the district courts, the courts of appeal, the Supreme Court and the land consolidation courts. In addition to regular judges, the scheme also covers temporary judges, including assistant judges, extraordinarily appointed judges and extraordinary judges.

The statutory framework applying to the functions and procedures of the Supervisory Committee is first and foremost Chapter 12 of the Courts of Justice Act. The Public Administration Act and the Freedom of Information Act also apply to the Supervisory Committee's hearing of complaints, with the exceptions that follow from sections 238 and 239 of the Courts of Justice Act.

The Supervisory Committee may adopt disciplinary sanctions when a judge "either wilfully or negligently breaches the obligations that are incumbent on the position or otherwise acts in breach of proper conduct of judges", see section 236 of the Courts of Justice Act.

The core area for the Committee's complaints scheme is the conduct of the judges in connection with court cases, typically related to preparations for cases, court hearings or writing of judgments. The Committee may also consider complaints concerning dilatory proceedings, both in connection with preparations for cases and qualified delays in terms of writing of judgments.

The "obligations that are incumbent on the position" are comprised of the judges' obligations under both procedural legislation as well as typical labour law obligations, such as violation of the rules regarding extra-judicial activities, violation of working hours provisions, rules on holidays, etc.

During the assessment of what constitutes proper judicial conduct, an important tool for the Committee is the **Ethical principles for judicial conduct**. These principles are applied actively when the Committee makes decisions. The principles apply to all professional judges in the regular courts and land consolidation courts. Ethical principles govern judicial conduct both within and outside the adjudicatory role. The Ethical Principles are enclosed at the end of this document.

The Committee may also adopt decisions on disciplinary measures due to circumstances outside of the judges' official capacity, but only the Ministry of Justice and Public Security, the Norwegian Courts Administration and the president of the court in question have a right of complaint concerning such circumstances, see section 237 of the Courts of Justice Act.

LIMITATIONS TO THE AUTHORITY OF THE COMMITTEE

The Supervisory Committee may not examine matter that may be reviewed pursuant to other provisions relating to the administration of justice, see Section 236 fourth paragraph of the Courts of Justice Act. This entails that any complaints concerning court proceedings, as well as decisions and assessments made by judges, including the content of decisions of the courts, will be dismissed.

Further information on the Supervisory Committee for Judges is available via the website <http://www.domstol.no/no/Enkelt-domstol/Tilsynsutvalget-for-dommere/>. This website contains general information about the Committee and practical information for potential complainants. The Committee's decisions are also published here in anonymised form. All decisions adopted at Committee meetings are published in this way.

The decisions are also published on Lovdata [Foundation establishing and operating legal information systems on a non-profit basis] and by Universitetsforlaget.

PROCEDURE FOR HANDLING OF COMPLAINTS

In general, the Supervisory Committee shall consider the cases at Committee meetings, and all

decisions on the merits of the cases must be made by a plenary Committee. If cases are simple and uncomplicated, however, decisions on the merits of the cases may be made following circulation among the members of the Committee.

It is possible to delegate the decision-making power to the President of the Committee or one of the other judicial members of the Committee. This applies, however, only to cases that clearly will be dismissed or obviously are unfounded.

TIME LIMIT FOR COMPLAINTS

The general time-limit for filing a complaint is three months after the circumstance that forms the basis for the complaint arose, cf. section 237 fourth paragraph of the Courts of Justice Act. The Supervisory Committee may, however, decide to consider a complaint filed after the time-limit has expired, but with the proviso that the Supervisory Committee cannot consider a complaint when more than one year has passed since the circumstance arose.

THE COMMITTEE MAY EXAMINE MATTERS ON ITS OWN INITIATIVE

The Committee may examine matters on its own initiative, even if the ordinary conditions for such examination have not been met. However, if more than one year has passed since the circumstances arose, it is not possible to have the matter examined by the Committee.

The Committee may decide to examine a case even if the time-limit of three months has expired and even though the complainant is not entitled to file a complaint. The Committee may also examine potentially censurable conditions without a complaint being filed. This entails that anybody may contact the Supervisory Committee, which will then consider and determine at its own discretion whether or not the matter should be examined.

DISCIPLINARY REACTIONS: CRITICAL ASSESSMENT OR WARNING

The Courts of Justice Act describes two forms of disciplinary reaction; critical assessment or warning. The most severe form of reaction is a warning. A critical assessment is the most common form of reaction. This is a milder reaction which may be used in less serious cases. The Supervisory Committee may also issue general statements regarding the conduct of judges without this constituting a disciplinary reaction, cf. section 236 third paragraph of the Courts of Justice Act. Decisions on critical assessments or warnings are submitted to the Norwegian Courts Administration and the Ministry of Justice and Public Security as a matter of routine.

ORGANISATION OF THE SUPERVISORY COMMITTEE

The Supervisory Committee is an independent and autonomous administrative body.

The Supervisory Committee consists of six members with personal deputies. The Committee is composed of two judges from the ordinary courts of law, one judge from the land consolidation courts, two representatives of the general public and one lawyer; see section 235 of the Courts of Justice Act.

When the Supervisory Committee hears complaints concerning a judge of the ordinary courts of law, two judges from the ordinary courts, the lawyer member and the two representatives of the general public will attend. When hearing complaints concerning a judge of a land consolidation appeal court or land consolidation court, a land consolidation court judge will replace one of the judges from the ordinary courts of law.

In 2018, the Committee was composed of the following members and deputy members:

| Name | Title | Position Supervisory Committee | Appointed |
|--------------------------|--------------------------------------------------------|--------------------------------|---------------------|
| Bjørn Eirik Hansen | Court of Appeal Judge, Eidsivating Court of Appeal | President | 01.05.18 - 30.04.22 |
| Carl August Heilmann | Court of Appeal Judge, Borgarting Court of Appeal | Personal Deputy | 01.05.18 - 30.04.22 |
| Heidi Heggdal | District Court Judge, Oslo District Court | Member | 01.01.18 - 31.12.21 |
| Anne Gro Aanensen Kleven | Chief Local Judge, Aust-Agder District Court | Personal Deputy | 01.05.18 - 31.12.21 |
| Ketil Myhre | Lawyer, Advokatfirma Lohne Krokeide AS | Member | 01.11.16 - 31.10.20 |
| Bjørn Hübert Senum | Lawyer, Advokatfellesskapet | Personal Deputy | 01.11.11 - 31.10.19 |
| Turid Ellingsen | Director, Norwegian Mapping Authority | Member | 01.11.14 - 31.10.22 |
| Aud Helene Martinsen | | Personal Deputy | 01.06.17 - 31.10.22 |
| Svein J. Magnussen | Professor of Psychology, University of Oslo | Member | 01.06.11 - 31.05.19 |
| Eva Albertsen Malt | Chief Medical Officer, Akershus University Hospital | Personal Deputy | 01.11.18 - 31.05.19 |
| Trond Berge | Court President, Sør-Rogaland Land Consolidation Court | Member | 02.09.11 - 01.09.19 |
| Liv Oddveig Nergaard | Court President, Nord-Troms Land Consolidation Court | Personal Deputy | 27.11.15 - 26.11.19 |

*Chief Local Judge Unni Sandbukt (President) at Nord-Troms District Court, held office until 30 April 2018. Court of Appeal Judge Bjørn Eirik Hansen was appointed President as of 1 May 2018 – he had served as a deputy member up until this date.

*District Court Judge Anne Marie Selvaag (deputy member) at Sør-Trøndelag District Court, held office until 30 April 2018.

SECRETARIAT OF THE SUPERVISORY COMMITTEE

The Secretariat of the Supervisory Committee is placed with the Norwegian Courts Administration. The Secretariat is composed of legal professionals and a coordinator.

When a complaint is submitted to the Supervisory Committee, the Secretariat will receive the complaint and evaluate how the complaint is to be handled. The Secretariat prepares the cases for the Supervisory Committee and draws up a draft decision for cases that will be dismissed and cases for consideration by circulation. When cases are considered by the Supervisory Committee at meetings, the assessment and conclusion of the decision will be prepared by the Supervisory Committee itself.

The Secretariat is in contact with the President of the Supervisory Committee on a regular basis for consultation regarding the processing of complaints and handling of inquiries. Although it is the Secretariat that replies to most inquiries, it is the Supervisory Committee itself, not the Secretariat,

that makes the decisions of relevance for the Supervisory Committee and the complaints that are received.

ACTIVITIES

The core activity of the Supervisory Committee is to consider complaints against judges in connection with court cases. In addition, it is assumed that the Supervisory Committee will promote attitude awareness, contribute to development of judicial ethics, participate in educational programs and issue statements on improprieties in the courts of justice in general, see for example NOU 1999:19 section 10.6.2.3. Thus, the Supervisory Committee has taken part in development of courses and knowledge-building measures in the field of judicial ethics. In 2018, the Committee's former President delivered lectures on the role of judges and judicial ethics at the introductory courses and the national seminars for judges. She also attended regional gatherings of judges as well as internal seminars at several courts.

COMPLAINTS IN ONGOING CASES

The Supervisory Committee receives some inquiries from parties, practitioners and judges regarding complaints submitted while court cases are ongoing, including the question of whether the judge in question will be considered prejudiced during the further consideration of the case.

The Supervisory Committee considers complaints regardless of whether cases are ongoing or have been resolved in the courts. As the deadline for filing a complaint is three months after the circumstance arose, it is not uncommon for complaints to be submitted to the Supervisory Committee before the case is closed in the courts.

Any complaints filed while the court case is in progress, will normally not entail that the judge will be prejudiced in relation to the complainant. In verdict HR-2012-681-U from the Appeals Selection Committee of the Supreme Court, the Appeals Selection Committee states "that a complaint to the Supervisory Committee for Judges will not in itself normally entail that the judge in question will be considered prejudiced, cf. Rt-2005-172 and Rt-1998-1079 among others. Such complaints will also normally not result in prejudice on the part of the other judges at this office, cf. Rt-2011-1279".

This entails that the filing of a complaint with the Supervisory Committee will not prevent the consideration of the case from continuing as normal at the court.

REVIEW OF THE DECISIONS MADE BY THE SUPERVISORY COMMITTEE

The Supervisory Committee for Judges is an administrative body, but the decisions of the Committee may not be appealed pursuant to the provisions of the Public Administration Act, cf. section 239 of the Courts of Justice Act. The only way to have a decision reviewed is to either file a petition for reversal with the Supervisory Committee or through legal proceedings. The courts may only review the legality of the decision, including whether the content of the decision is lawful, whether the decision has been made by the competent authority under the Courts of Justice Act, and whether the decision has been made in a lawful manner. The deadline for legal action is two months after the parties were notified of a decision. A verdict by the Appeals Selection Committee of the Supreme Court, HR-2018-2467-U, has established that this deadline is to be considered absolute.

ACTIVITIES OF THE SUPERVISORY COMMITTEE

Complaints in 2018

The main activities of the Supervisory Committee in 2018 were as follows:

The Supervisory Committee received 124 complaints. Of these, nine were complaints against judges in the land consolidation courts.

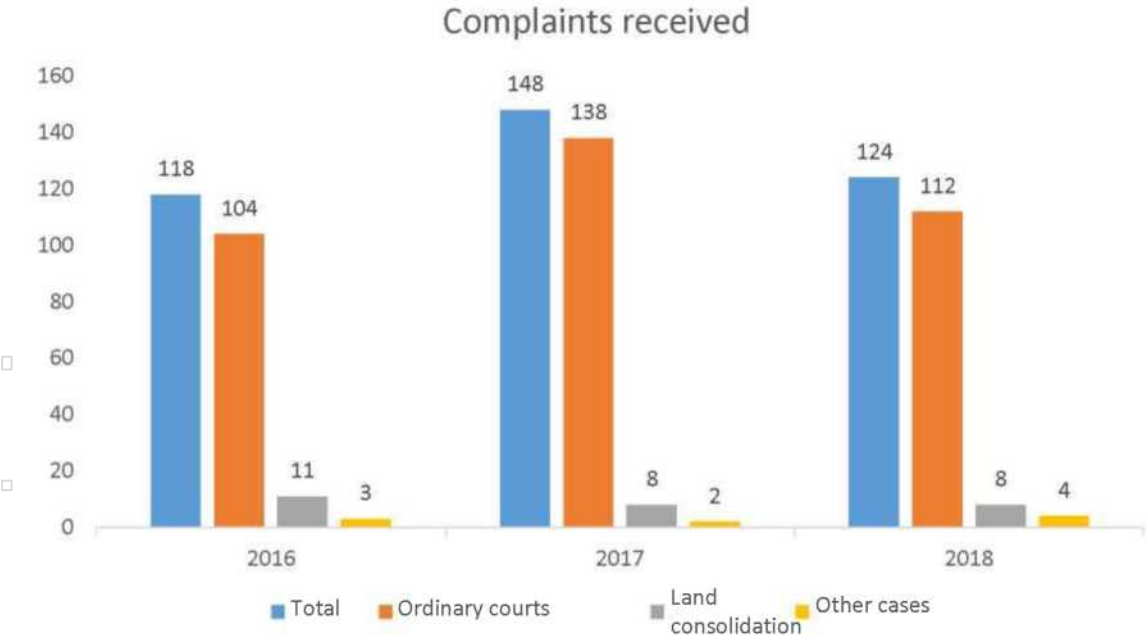
The Committee made a total of 130 decisions in 2018???, of which 65 were made by the Committee’s President or other member by delegation.

A total of 77 cases were dismissed in 2018, of which 47 decisions were made by the Committee’s President or other member by delegation. 30 decisions were adopted by the Committee in plenary session.

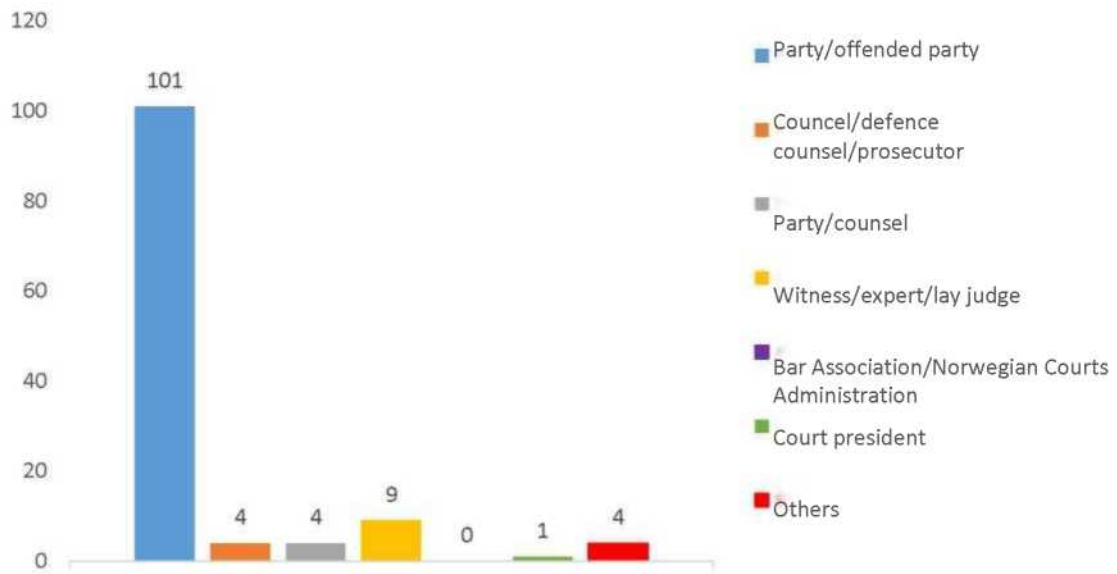
40 complaints were heard on their merits in 2018. 38 complaints concerned judges’ conduct, five complaints concerned dilatory proceedings and two concerned administrative matters. One and the same complaint may concern several matters. A disciplinary reaction in the form of criticism was adopted in two cases. 13 cases were concluded in some other manner.

The Supervisory Committee held five ordinary meetings in 2018.

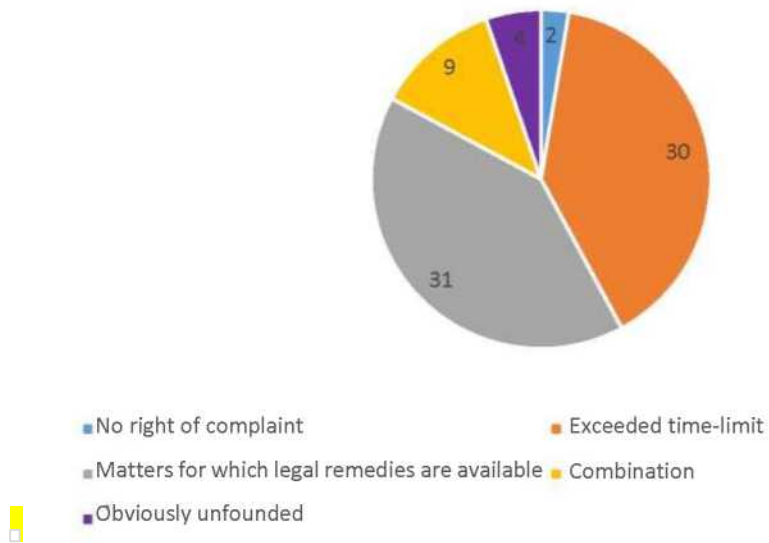
STATISTICS



Who complained in 2018?

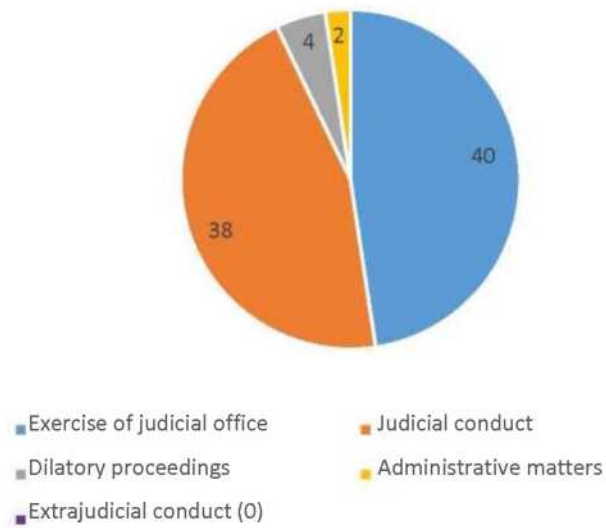


Grounds for dismissal 2018



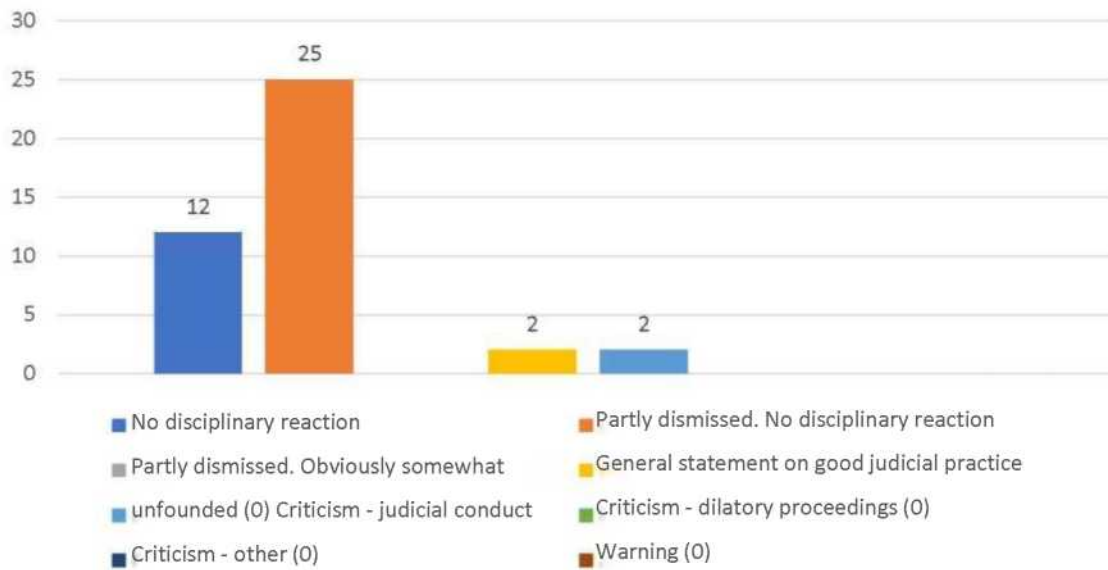
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Heard on its merits - subject matter of complaint?

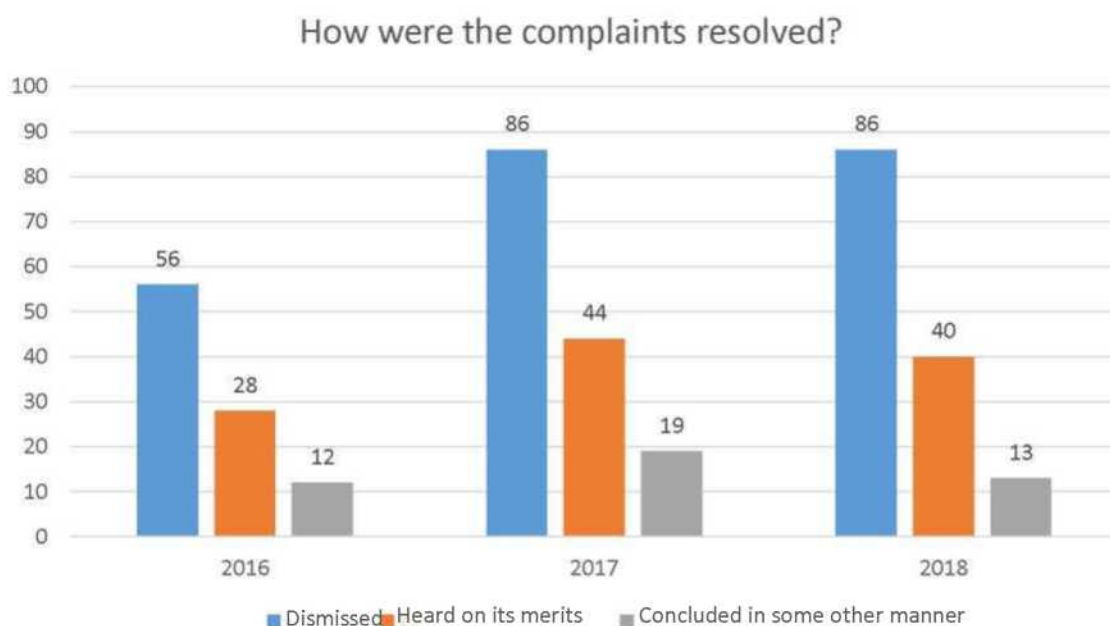


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Heard on their merits - result



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The Supervisory Committee 2002-2018

Over the course of the period 2002-2018, the Supervisory Committee received a total of 1851 complaints. A total of 1787 decisions were made, of which 918 were dismissals. 751 cases were heard on their merits by the Committee in plenary sessions. The remaining cases were concluded in some other manner, typically by the complaint being withdrawn or having lapsed due to some other reason. The Supervisory Committee decided in favour of a disciplinary reaction in a total of 78 cases, and a warning was issued in six of these cases. Two of the critical assessments were subsequently reversed.

The number of complaints has varied somewhat from year to year, ranging from 66 complaints in 2003 (the lowest) to 176 complaints in 2011 (the highest). It has been a trend during this period that the number of complaints has stabilised itself at a higher level than previously. The reasons for this may include that the complaints scheme has become better known among the parties, lawyers and others, as well as a gradual lowering of the threshold for filing a complaint against a judge over the period that the Committee has existed.

During the period from 2015 to 2017, the number of complaints increased from 109 to 148. This corresponds to a considerable increase of 37%?. But in 2018, there were 124 complaints. It is difficult to say whether this is an indication of a new trend or just a random variation in the number of complaints.

Another trend is that the Committee issues statements on what constitutes proper judicial conduct in more cases. In section 236 third paragraph of the Courts of Justice Act, it is stipulated that the Committee may issue statements on proper judicial conduct without adopting any disciplinary measures vis-à-vis the judge. This is in line with the assumption in the preparatory works that the Supervisory Committee is to establish guidelines for what is considered "proper judicial conduct".

In general, the overall picture remains stable in terms of the Committee's handling of complaints, and is as follows:

- The complainants are primarily the parties to the case (normally more than 90 percent).
- Lawyers and other practitioners still do not complain about judges to any significant degree. There may be many reasons for this, but one obvious potential reason may be that other practitioners have a higher threshold for filing a complaint against a judge and will therefore not complain if subjected to censurable judicial conduct.
- Most of the complaints and reactions concern judicial conduct in connection with court cases. This is followed by complaints concerning circumstances relating to preparations for cases as well as dilatory proceedings.
- It is still very rare to receive complaints against judges concerning extrajudicial conduct.
- The ratio between the number of complaints heard on their merits and the complaints that are dismissed remains stable (approx. 60/40). The dismissed complaints usually concern matter that may be used as grounds for an appeal or have been filed after the time-limit.

March 2019

Bjørn Eirik Hansen | Heidi Heggdal | Turid Ellingsen | Ketil Myhre | Svein J. Magnussen | Trond Berge

DECISIONS OF THE SUPERVISORY COMMITTEE 2018

TU Case 17-119 Reversal. Judicial conduct. Partly dismissed. No grounds for disciplinary measures.

This complaint was concluded as obviously unfounded in a decision of 6 November 2017, but following new information from the complainant, the case was re-opened. The complaint concerned the treatment of the defendant in connection with a petition for continued remand in custody. The elements of the complaint that concerned the court's decision regarding the appearance of the defendant and the decision that the case was to be heard without the defence counsel of the defendant in attendance, constituted procedural decisions that may be appealed. Thus, the Supervisory Committee dismissed this part of the complaint. In principle, the judge's decisions concerning the use of force and forcible means by the police in the courtroom constitute judicial decisions that the Committee cannot review. The Committee stated that if it is clear that an accused is treated in an unnecessarily aggravating manner without the judge intervening, it is conceivable that the Committee may examine the ethical aspects of the conduct of the judge. However, the Supervisory Committee did not find that such circumstances had been proven in this case. The Committee also found it not substantiated that the judge deliberately had neglected to enter in the records of the court that the defence counsel had not been present at the hearing, and found that such an oversight was not in breach of proper judicial conduct. The Supervisory Committee also found it not substantiated that the judge had acted in a sarcastic or offensive manner. In conclusion, the Committee felt it appropriate to note that the case had been handled in an unfortunate manner, and that this appears to be related to the lack of preparations on the part of the judge. If the judge realises that there will not be sufficient time for necessary preparations, the judge is responsible for delaying or postponing the hearing of the case to facilitate satisfactory preparations. The Supervisory Committee found no grounds for any disciplinary reactions vis-à-vis the judge.

TU Cases 17-120 and 17-124 Judicial conduct, legal preposition, pressure to enter into a settlement, conduct during complaint process, criticism. TU Case 17-120 concerned a complaint from two lawyers who both had conducted civil cases before the chief local judge a short time apart. TU Case 17-124 concerned a complaint from a mother involved in a parental dispute. All complaints concerned the judge's conduct of proceedings and behaviour during court hearings. The complaints were filed a short time apart and were considered together. The chief local judge provided an explanation in person before the Committee. The majority of the Committee found it substantiated that the chief local judge generally had acted as described in the complaints, and concluded that the conduct of the judge during the court hearings was in breach of proper judicial conduct, and that there were grounds for a disciplinary reaction in the form of criticism for this. The minority within the Supervisory Committee pointed to some unfortunate aspects of the judge's conduct of proceedings, including that his focus on efficiency, progress and management may have had a negative impact on the parties' need to be heard and present their points of view. His conduct with interruptions and statements on what was considered relevant in the cases, may have resulted in the parties getting the impression that the chief local judge had already decided the outcome. In the opinion of the minority, this constituted unfortunate management on the part of the judge, but not grounds for a critical assessment. The Supervisory Committee also decided to examine the conduct of the chief local judge during the complaint process separately. In TU Case 17-124, the chief local judge obtained statements from both the counsel of the opposing party and the expert witness, and submitted these to the Supervisory Committee. The Supervisory Committee stated that this impaired the evidential value of the statements, and that it was unfortunate that the defendant had involved himself in the preparations for the case in a manner that could influence witnesses and the Committee's assessment of the evidence in the case. In connection with the consideration of the complaints, the chief local judge also made various statements concerning the complainants that the Committee also found it appropriate to examine. The Supervisory Committee stated that it was understandable that the media coverage was unpleasant and difficult to handle for the judge, but found, however, that this could not justify the conduct of the chief local judge during the complaint process. The

Committee noted that the requirement for proper and impartial conduct also apply to judges covered by complaint cases being examined by the Supervisory Committee. The Committee pointed out that lawyers have a high threshold for filing complaints against judges, and especially against a chief local judge. This emphasises the need for the defendant to treat complainants in a professional and respectful manner. In connection with the assessment of the chief local judge's conduct during the complaint process, the Committee emphasised that he has previously been reprimanded by the Supervisory Committee for the manner in which he expressed himself vis-à-vis a complainant. A unanimous Committee found it censurable that the chief local judge once again used terms and expressions that did not appear to be objective, made allegations, as well as threatened to file charges, etc. The Committee emphasised that such conduct confirm that it is unpleasant to file complaints against judges with the Supervisory Committee and is liable to weaken the confidence in the judiciary. The Supervisory Committee concluded unanimously that the chief local judge's conduct during the complaint process was in breach of proper judicial conduct, and that there were grounds for a disciplinary reaction in the form of criticism.

TU Case 17-128 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a lack of assignment of administration assignments. The complaint was directed against both the former and current head of the department at the court handling liquidation/bankruptcy cases. The complaint against the former head of the department was dismissed due to late submission. The complainant alleged that he was the subject of unfair differential treatment as he was no longer assigned liquidation/bankruptcy estates from the district court. He also complained that he had not been notified nor received any explanation as to why the number of administrator assignments had been reduced. The Supervisory Committee specified that the Committee's authority is limited to a consideration of whether or not the judge has acted in breach of proper judicial conduct in connection with the assignment. In this context, the Committee assumed that the assignment of liquidation/bankruptcy estates, as for other judicial activities, must be handled properly. As part of the propriety assessment, the Committee may evaluate whether the judge's practice in connection with the assignment of estates has been arbitrary or based on unfair differential treatment. The Committee did not find it substantiated that the judge had acted in such a manner. The Committee also found that the lawyer, via e-mail correspondence with the judge, had been provided with satisfactory answers concerning the lists for administrators.

17-131 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a claim for valuation upon acquisition of land for a future housing development, where the complainant was one of the land owners sued by the municipality. Parts of the complaint were aimed at one of the members of the panel of assessors. As the Supervisory Committee may only consider complaints against professional judges, this part of the complaint was dismissed. The allegations of the complainant concerning procedural errors were dismissed as these could be used as a basis for a new hearing of the case. The complainant also alleged that the judge should have intervened against derogatory characteristics by the lawyer of the opposing party, as well as interference from the audience. The Committee stated that the viewpoint of the complainant was not shared by the defendant nor the other professional practitioners who submitted statements concerning the complaint. Thus, the Supervisory Committee found that it had not been substantiated that the defendant's behaviour and conduct of proceedings were in breach of proper judicial conduct, and that there were no grounds for any disciplinary measures.

17-133 Judicial conduct. No grounds for disciplinary measures. The complaint concerned a case under the Children Act, where the complainant was one of the parties. Parts of the complaint concerned the time allotted for statements by the parties during the main hearing and the judgment of the district court in the case. However, the complainant had specified that the complaint only concerned the conduct of the judge vis-à-vis her during the main hearing, and the Committee assumed this to be the case. The complainant alleged that the conduct of the judge had been in

breach of proper judicial conduct by being biased, indicating a legal preposition and acting in a disrespectful manner vis-à-vis the complainant. The judge confirmed that he had asked the complainant questions that may have been perceived as difficult, but that this had to be expected as a consequence of the allegations made by the complainant. The Supervisory Committee referred to the fact that the complainant was the only person who considered the conduct of the judge to be in breach of proper judicial conduct. Thus, the Committee found that such conduct had not been substantiated, and that there were no grounds for any disciplinary reaction vis-à-vis the judge.

TU Case 17-138 Judicial conduct and dilatory proceedings. Partly dismissed. No grounds for disciplinary measures. The case concerned a claim for payment of lawyer's fee, where the complainant was one of the parties. The part of the complaint that concerned dilatory proceedings was filed more than five months after the most recent decision by the court of appeal. The Supervisory Committee did not find that the complainant had reasonable grounds for exceeding the time-limit, and this part of the complaint was dismissed. The complainant also alleged dilatory case processing by the judge, and that the judge had acted in an offensive manner and displayed a narrow-minded attitude. The Supervisory Committee found that the complainant had received answers to the inquiries, and that the case processing had not been dilatory. The complainant had also received guidance both in writing and during the planning meeting. The allegations of the complainant concerning offensive behaviour were not supported by the other documentation in the case. As regards the submission that the judge repeatedly interrupted the complainant, the Committee stated that the judge has an obligation to ensure the necessary progress in the case, and must also ensure submissions and allegations are clarified. Based on this, the Committee found no grounds for any disciplinary reaction vis-à-vis the judge.

TU Case 17-140 Judicial conduct. Disciplinary measure in the form of criticism. The complaint concerned the judge's statements in the parties' previous complaint case, TU Case 17-089. The complainant alleged that the judge had provided incorrect information in connection with the previous complaint case. In the previous complaint case, the Committee found, based on an overall assessment, that there was no basis for reacting with criticism, but issued a statement on good judicial practice as a consequence of the long case processing time and the defendant having neglected to provide notice of the delay. The allegations of the complainant in this complaint, as well as the judge's reply in connection with this, resulted in doubt as to whether the judge had provided correct information to the Supervisory Committee in Case 17-089. The fact that the judge's reply to the Committee resulted in such doubt, was considered a serious matter by the Committee. The judge's supplementary explanation did not change the basis for the Supervisory Committee's conclusion in Case 17-089, but provided a different picture of the actual course of events. What the judge now explained concerning the misunderstanding between the judge and the court's reception should have been disclosed during the consideration of Case 17-089. The fact that the judge did not provide the Committee with the supplemental information prior to the consideration of the previous case, was found to be strongly regrettable by the Committee, as well as liable to weaken the confidence in the courts. The Supervisory Committee found that this was above the threshold for taking disciplinary action in the form of a critical assessment.

TU Case 17-141 Judicial conduct. No grounds for disciplinary measures. Statement on good judicial practice. The complaint concerned a criminal case involving violations of the Road Traffic Act, and the complainant was the defence counsel of the defendant. The time-limit for parts of the complaint expired on 5 December 2017, the day the complaint was dated and two days before the complaint was received by the Supervisory Committee. The Committee assumed that the complaint was filed by the deadline. The complainant alleged that the judge clearly signalled that he was of the opinion that the complainant had fabricated the explanation of the defendant. The Committee found that there was a basis for assuming that the judge had asked the questions in such a manner that both?? the defence counsel was left with the same impression. The complainant also alleged that that he

was reprimanded aggressively for having nodded to the defendant during his explanation, and that the judge was gruffy and indicated irritation during the pleading by the complainant. Based on the statements by the prosecutor and one of the lay judges, the Committee found it substantiated that the judge had provided visible indications of irritation and that this resulted in an atmosphere that was not good. This indicated unfortunate conduct and management of the hearing on the part of the judge, but as the case had been presented to the Committee, it had not been substantiated that the judge had exceeded the limits of proper judicial conduct. However, the Supervisory Committee found reason to comment that a judge should strive to act in a fair and proper manner vis-à-vis the practitioners in court, and not subject them to irritation and impatience. It is, for example, important for the judge to be respectful of the role and tasks of a defence counsel in a criminal case.

TU Case 17-143 Judicial conduct, partly dismissed, no disciplinary reaction. The case concerned the judge's handling of a dispute case concerning lawyer liability and claim for compensation. The Committee did not find it substantiated that some statements by the judge were offensive, or that his interruptions and reprimands of the complainant's lawyer was an expression of prejudice or handled in a degrading, derogatory or disrespectful manner. The Committee stated that interruptions and limited opportunity to make statements concerning circumstances that do not concern the case in the opinion of the judge, may be perceived as offensive and hurtful by the party in question. However, the judge has an obligation under the law to make sure that the proceedings take place in a focused and proper manner. The judge's decision to refuse private sound recordings in court, for example, was not made in a manner that indicated that he was biased or in some other manner acted in a disrespectful or offensive manner vis-à-vis the complainant.

TU Case 17-144 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a criminal case, where the complainant was the defence counsel of the defendant. The allegation of the complainant that the defendant was not granted an opportunity to make statements concerning circumstances of significance for the outcome of the case, constituted matter that may be the subject of an appeal. Thus, this part of the complaint was dismissed. The allegation of the complainant that the judge scolded loudly was not supported by the other practitioners in the case, and was therefore not substantiated to a sufficient degree. However, the Supervisory Committee found it substantiated that the judge had asked the defendant to "shut up", and pointed out that this was unfortunate. As neither the lay judges nor the prosecutor had the impression that the judge treated the defendant in a bad or disrespectful manner, the Committee found that the judge had not exceeded the norm for proper judicial conduct. The complainant also alleged that the judge had acted in a condescending and insolent manner and was not very considerate. The Committee assumed that the judge had interrupted the complainant during the pleading, and that the judge had stated that the complainant should have been familiar with the norm of the Supreme Court. The judge vented frustration on the complainant during the pleading, and this in itself indicated unfortunate conduct on the part of the judge. In addition, the statement concerning the norm of the Supreme Court was liable to support the impression that the judge was condescending and not very respectful towards the complainant. The Committee found, with some doubt, that the conduct of the judge was not outside the norm for proper judicial conduct.

TU Case 18-002 Judicial conduct. Partly dismissed. No grounds for disciplinary action. Complaint from a lawyer concerning the judge's handling of a fee claim in connection with an assignment as counsel for the victim. Parts of the complaint concerned circumstances where the absolute time-limit had been exceeded, and parts of the case concerned circumstances that the Committee was not at liberty to review. One allegation was determined to be obviously unfounded. Over the course of the Supervisory Committee's processing of the complaint case, the judge made a decision to refuse advance claims. Some wording in the judge's decision concerning what may be considered "reasonable and necessary work" was included in the complaint case. The Committee also examined an allegation that the lawyer was identified with the clients in the decision. The Committee

commented that statements in the decision must be considered in light of the context in which they are made. As a general principle, the Supervisory Committee stated that judges are responsible for ensuring that terms in judicial decisions are framed in a considerate manner vis-à-vis the persons affected. A reference was also made to the judges' obligation to provide a satisfactory description of the factual circumstances, and to provide an account of the evaluations behind each individual decision. The Committee found that the conduct of the judge had not been outside the norm for proper judicial conduct in this case. In this context, it was stated that the statements were part of the judge's overall assessment and reasoning for the decision. The Committee also found that the lawyer had not been identified with clients in a manner contrary to the judicial ethics guidelines.

TU Case 18-011 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a dispute in connection with the purchase and installation of a zip line, where the complainant was the cohabitant of the claimant. As the complainant was a witness in the case, had followed the proceedings from the start and the zip line was installed on the joint property of the complainant and the claimant, the Committee found that the complainant had a right to complain. The parts of the complaint that concerned the assessment of evidence, the content of the judgment and that new evidence was allowed, was dismissed as these constitute matter that may be used as grounds for an appeal. As regards the fact that the judge used one month to write the judgment, the Committee stated that this delay was not significant enough to constitute grounds for a disciplinary reaction. It was also alleged in the complaint that the judge had favoured the opposing party and treated the parties and witnesses differently during the proceedings. The Committee stated that these allegations were not supported by the other statements in the case. The Committee also stated that parties and witnesses in a lawsuit must expect critical questions. The Committee also pointed out that it was not specified in the complaint how the judge had indicated a legal proposition and that opinions differed as to what had been said. The Supervisory Committee assumed that it was correct that the counsel of the opposing party was granted more time for the pleading, but pointed out that this may be due to various different factors. This did not constitute grounds for ascertaining that the judge had acted in a biased manner. The Committee also stated that it is not a requirement that the judges must read all documents in a case prior to the main hearing. Based on an overall assessment, the Supervisory Committee did not find it substantiated that the judge had acted in breach of proper judicial conduct.

TU Case 18-012 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a criminal case, where the complainant was the defendant. The parts of the complaint that concerned case processing and conduct of proceedings were outside the scope of what the Committee may review, and were dismissed. In the complaint, it was also alleged that the judge had a negative attitude, was authoritarian and dominating, and had a negative body language. The Supervisory Committee pointed out that judges are often watched closely, and that it is important for judges to be conscious of their own behaviour and body language. The Committee also stated that even if it could be assumed that the judge had been strict, the Committee did not find it sufficiently substantiated that the behaviour of the judge was coarse or rude, or otherwise above the threshold for a potential disciplinary reaction. The Supervisory Committee did not find it substantiated that the judge had acted in breach of proper judicial conduct.

TU Case 18-016 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The case concerned a parental dispute, where the complainant was one of the parties. The part of the complaint that concerned the judgment constituted matter that the complainant was aware of when the judgment was served five months prior to the filing of the complaint. Thus, this part of the complaint was dismissed. The Committee assumed that the time-limit had not been exceeded for the other submissions in the complaint. The complainant alleged that the judge had asked the expert witness to comment on information regarding unethical behaviour, as well as communicated directly with the opposing party. The Supervisory Committee did not find it indicated nor substantiated that

the judge had acted in a censurable manner in connection with the handling of the case after the judgment had been appealed. The complainant also alleged that the judge had affected the relationship with the children, based on statements made by the children to the expert witness concerning something the judge had said. Based on the other statements in the case, the Supervisory Committee could not disregard the possibility that the children had misunderstood or received information from others. Thus, no disciplinary action was taken.

TU Case 18-027 Judicial conduct and dilatory proceedings. Partly dismissed. No grounds for disciplinary measures. The complaint concerned insolvency proceedings, where the complainant was one of the shareholders in the company that petitioned for winding up. Although parts of the complaint concerned matter from some time ago, the Committee found that the administration of the estate could be considered a continuous process. Thus, it was assumed that the time-limit had not expired for any part of the complaint. The part of the complaint that concerned dissatisfaction with the work of the administrator and assistant was outside the scope of authority of the Supervisory Committee. The judge's decision to end the administration of the estate was also outside the Committee's scope of authority, and could therefore not be reviewed. These parts of the complaint were dismissed. As regards the allegation that the judge had not reacted to the objections of the complainant, the Committee found that the objections had been answered in a prudent manner. The complainant also claimed that the case processing had been delayed. The Committee stated that a delay must be significant and the judge must be to blame for the delay in order to take disciplinary action. This threshold had not been exceeded. The Committee referred to the fact that the judge had answered the complainant two weeks after becoming aware of the inquiry. The last allegation by the complainant was that the judge had not assessed the impartiality of the administrator. The Committee referred to the fact that the judge had carried out such an assessment, and that the Committee does not have the authority to review the specific assessment made by the judge. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-028 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a parental dispute, where the complainant was the counsel of the mother. The part of the complaint that concerned the conduct of the judge prior to and during the oral hearings, was filed more than five months after the events took place. The Supervisory Committee did not find that the complainant had provided any reasonable grounds for exceeding the time-limit. The content of the allegations also did not provide any grounds for considering the complaint on the Committee's own initiative, and this part of the complaint was therefore dismissed. As regards the information in a letter, the Committee assumed that the complaint had been filed within three months of the complainant becoming aware of the information. Thus, the time-limit had not expired for this matter. The Supervisory Committee found that there was no doubt that the information in the letter did not provide any basis for a disciplinary reaction. It was stated that the letter did not provide any precise indication of what information the judge supposedly had provided or whom at the court had supposedly provided the information. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-040 Judicial conduct. No grounds for disciplinary measures. The case concerned a settlement in court concerning distribution of assets following the break-up of a relationship. The complainant alleged that the judge had laughed mockingly at her, that the judge had made condescending comments and flirted with the counsel of the opposing party, as well as that the complainant had been pressured into a settlement. The Supervisory Committee stated that it is common for judges to have individual meetings with the parties during a conciliation process, and that it is within the scope of the judge's conciliation assignment to provide an account of the judge's view of the case and the risks associated with legal action. The Committee did not find it substantiated that the judge had pressured the complainant to reach a settlement. The Supervisory

Committee also did not find it substantiated that the judge had acted in a rude or condescending manner vis-à-vis the complainant nor that the judge had flirted with the counsel of the opposing party. It was referred to the fact that the information from and the viewpoints of the complainant were not supported by the others who were present. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-042 Judicial conduct. No grounds for disciplinary measures. The case concerned a claim for cancellation of a purchase, alternatively compensation and price reduction. The complainant alleged that the judge exerted undue pressure to reach a settlement and acted in a biased manner. The Supervisory Committee emphasised the importance of the judges respecting the need and desire of parties to have cases resolved in the form of a judgment. Based on the conduct in the case, the judge had tried really hard to have the parties initiate conciliation proceedings. The Committee stated that the judge's repeated attempts to have the parties initiate conciliation proceedings appeared to be not very sensible, and that repeated initiatives in favour of conciliation proceedings in themselves may be perceived as pressure to reach a settlement. However, the Committee did not find that the conduct of the judge entailed that the limits for proper judicial conduct had been exceeded. The Committee also referred to the fact that neither the complaint nor the other statements referred to specific statements or any other conduct that supported the allegation that it was attempted to pressure the complainant into a settlement or that the judge's impartiality could be questioned. It was also referred to the fact that both parties were represented by counsels. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-045 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The case concerned a dispute related to a lease arrangement. Parts of the complaint concerned the judge's examinations during the inspection and questions concerning power of attorney issues, as well as objections to own counsel. These submissions were outside the Committee's scope of authority, and were therefore dismissed. The complainant also alleged that the judge had pressured them into a settlement and was prejudiced. Based on the available information in the case, the Supervisory Committee did not find it substantiated that the judge, through use of words or other actions, had exerted pressure to have the complainant reach a settlement. The Committee referred to the fact that the parties had negotiated the content of the settlement in court without the judge taking part, and that the complainant was represented by counsel. In the opinion of the Committee, the fact that the judge stated that it was a good settlement did not constitute grounds for questioning the impartiality of the judge. As regards the complainant's allegation that the judge hushed a member of the audience/witness and neglected to intervene when a counsel hushed the complainant and several of their witnesses, the Committee stated that a judge has a right and obligation to make sure examinations are conducted in a dignified and proper manner, as well as without interruptions from others. The complainant had also reacted to the judge not answering a letter. As regards this matter, the Committee stated that the length of time had been unfortunate, but that the judge had answered quickly when reminded and had apologised for the length of time. In light of this, the Committee did not find that the length of time constituted grounds for a disciplinary reaction. As regards the information that the records of the court indicated incorrectly who were present, the Committee assumed that this was due to a clerical error. This was unfortunate, but did not constitute grounds for a disciplinary measure. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-050 Dilatory proceedings. Partly dismissed. No grounds for disciplinary measures. The case concerned the administration of an estate following a bankruptcy. Although parts of the complaint covered events that took place more than three months before the complaint was filed, the Committee found that the complaint concerned a continuous process. Thus, the time-limit had not expired for any part of the complaint. Parts of the complaint also concerned dissatisfaction with the administrator and a verdict. These elements were outside the Committee's scope of authority,

and were therefore dismissed. The complaint also included that the judge had not ensured sufficient administration and progress in the administration of the estate. The complainant referred to the fact that the total administration of the estate took 16.5 months, that the complainant was not notified that the administration would take this long, that the administrator was requested several times to conclude the administration of the estate, and that the activities in the estate were very limited. The Committee stated that the court had continuously been informed of the progress in the case, and that the judge had followed up the progress in the case in a prudent manner. The administration of the issues concerning the complainant's bank account had been handled in a prudent manner in the opinion of the Committee. The Committee also could not see that the judge had any cause to intervene in an e-mail exchange between the complainant and the administrator. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-054 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The case concerned probate action in an estate where the complainant was one of the heirs. To a large degree, the complaint concerned dissatisfaction with the judge's assessment of the evidence and rendition of judgment, which the Supervisory Committee does not have the authority to review. Thus, this part of the complaint was dismissed. The complainant alleged that the counsel of the opposing party acted in a censurable manner during the court hearing, and that the judge had not reacted to this. The complainant also alleged that the judge was biased and that the verdict contained incorrect allegations and defamatory statements. The allegations of the complainant were not supported by the other statements in the case. The submissions concerning incorrect allegations and defamatory statements were not supported in more detail by the complainant, and the verdict also did not contain any wording that could have supported the allegations of the complainant. Thus, the Committee did not find it substantiated that the judge had acted in breach of proper judicial conduct, and no disciplinary action was taken.

TU Case 18-065 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The complaint concerned a parental dispute. The complaint was filed six months after the judgment was rendered, and this entailed that the time-limit had expired. However, the Supervisory Committee found it appropriate to examine one of the elements in the complaint. The judgment contained an incorrect name and date, and in this case, this entailed a breach of confidentiality. The Supervisory Committee stated that judges have an obligation to ensure that the duty of confidentiality is not breached. The Committee assumed that the error in this case was simply a careless mistake and not an indication of bias, prejudice or lack of neutrality on the part of the judge. The judge had also corrected the mistake immediately after being made aware of the error. Thus, the Committee found that the conduct of the judge in this case was not above the threshold for taking disciplinary action.

TU Case 18-069 Judicial conduct. No grounds for disciplinary measures. Statement on good judicial practice. The case concerned the validity of a decision made by the complainant (governmental body). The complainant alleged that the conduct of proceedings by the chief local judge was biased and prejudiced, and that the chief local judge treated the complainant's representatives in a crude and disrespectful manner. The Committee stated that a judge has considerable discretionary leeway during the conduct of the proceedings. However, the judge's conduct of the proceedings must be handled with appropriate objectivity and respect for the practitioners in court. The Committee noted that the chief local judge and the counsel of the opposing party had a different understanding and impression of the conduct of proceedings than what was indicated in the description in the complaint and in the account provided by the counsel of the complainant. As regards the issue of whether or not the chief local judge had addressed the counsel of the opposing party using the first name, the Committee assumed this to be the most likely scenario. The Committee pointed out that this was unfortunate. The chief local judge and the counsel were not previously acquainted, and the Committee therefore assumed that the use of the name was an unintended mistake that did not constitute grounds for questioning the impartiality of the chief local judge. Neither did the chief local

judge's request that the counsel of the opposing party "put things straight" in the case, constitute a sufficient basis for doubting the impartiality. In the complaint it was also alleged that the chief local judge had a "condescending attitude" and "ridiculed" one of the witnesses. The Supervisory Committee found, with some doubt, that it had not been substantiated that the conduct of the chief local judge was above the threshold for unfortunate judicial conduct. The Committee did, however, find it appropriate to issue a statement on proper judicial conduct, cf. section 236 third paragraph of the Courts of Justice Act. The Committee assumed that the conduct of proceedings was not handled in a fortunate manner that inspired confidence, and stated that a judge must be aware that the wording and conduct during the main proceedings will be carefully observed and interpreted by the parties to the case. The Committee assumed that the chief local judge will note for future reference that the wording and conduct during this case did not come across as inspiring confidence for the complainant. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Cases 18-070, 18-071 and 18-072 Judicial conduct. Partly dismissed. No grounds for disciplinary measures. The case concerned a parental dispute, where the complainant was one of the parties. These were very comprehensive complaints, and mainly concerned the facts of the case, the case processing and assessment of the evidence by the court, as well as objections to the decision of the court. In addition, the complainant alleged that one of the judges covered by the complaints had been prejudiced in connection with the consideration of the case. These allegations concerned matter that the Committee does not have the authority to review, and were therefore dismissed. The complainant also alleged that not enough time had been allotted for the case, and that the time was not divided equally between the parties. The Committee stated that it is important in parental disputes to allow enough time in order to ensure that the parties feel that they are being heard. There is no doubt that the time schedule in this case was tight, but the Committee cannot, however, see that the allotted time for the appeal hearing or the case processing in itself was not reasonable or executed in breach of proper judicial conduct. The Committee stated among other things that none of the counsels had indicated that the parties had been subjected to differential treatment in terms of allocation of time. The complaint also concerned a statement made by one of the judges. The Committee stated that none of the statements in the case indicated that they had considered the questioning or comments made by the judge to be disrespectful of or offensive towards the complainant. The complainant also alleged that the judges lacked the necessary personal qualities and competence. As regards this, the Committee stated that the Committee may only examine and take action in relation to unethical judicial conduct, and that said matter does not concern such conduct. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-077 Judicial conduct. No grounds for disciplinary measures. The case concerned a child welfare case, during which the judge talked with the child. The complainant alleged that the judge had informed the child of the decision before it had been pronounced. On a general basis, the Supervisory Committee pointed out the importance of the parties and especially children being well informed of what is to take place as well as the framework for the talk with the child in order to prevent misunderstandings. As also pointed out by the judge, it would have been better if the judge had provided more information to the complainant and the child regarding what was going to happen. The Supervisory Committee did not, however, find it substantiated that the judge had stated what was alleged by the complainant, and referred to the statement made by the caseworker who had been present during the talk. The Committee could not disregard the possibility that the child had misunderstood what was said. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-078 Dilatory proceedings. Partly dismissed. No grounds for disciplinary measures. The case concerned an eviction, where the complainant was the lessor. Parts of the complaint concerned objections to the assessment of the evidence, application of law, as well as the grounds and outcome

of the order. These allegations concerned matter that the Committee does not have the authority to review, and were therefore dismissed. The complainant also alleged that the judge had not ensured sufficient progress in the case. The Supervisory Committee referred to the fact that there had been continuous activity in the case from the time it was received by the district court and up until the order was made, and that the case processing time was therefore not due to a lack of activity on the part of the judge during the preparations for the case. The Committee also stated that the Committee has a limited authority to review interlocutory decisions that by nature are indisputable. The Committee's authority as regards such decisions is limited to a consideration of whether or not the judge has acted in breach of proper judicial conduct in connection with the relevant decisions. The Committee assumed that the reasons given for the expenditure of time seemed reasonable. Based on this, the Supervisory Committee found no grounds for any disciplinary measures.

TU Case 18-079 Judicial conduct. No grounds for disciplinary measures. Complaint from a lawyer concerning the judge's handling of the written preparations in a land consolidation case, including the judge's handling of a striking-out application. The Committee found that the judge could have handled the application in a better manner. The Supervisory Committee stated that the decision to delay – and the reasons for this – the consideration of the striking-out issue until after the first court hearing, could preferably have been made and communicated in a more formal and clear manner. However, the Committee was of the opinion that the threshold for taking disciplinary action had not been exceeded. The Committee found no basis for the complainant's other allegations concerning prejudice and legal preposition.

TU Case 18-086 Judicial conduct. No grounds for disciplinary action. The case concerned a parental dispute, where the complainant was a party to the case. The Committee did not find it substantiated that the judge had been poorly prepared, that she acted in a threatening and biased manner or that she had formed a negative impression of the complainant. The Supervisory Committee found no grounds for concluding that the judge had acted in breach of proper judicial conduct by facilitating conciliation proceedings. Based on the information in the case, including statements prepared by the professional practitioners, the Committee assumed that the lawyer and the judge had come head to head during parts of the main proceedings, and that the tone between them was irritable at times. The complainant's lawyer stated that he had contributed to the situation that arose, and that the exchange of words between them was within the range of what professional practitioners should tolerate. The Committee stated that judges have an independent responsibility to maintain an objective and proper atmosphere in court. Although professional practitioners may not consider an irritable atmosphere to be problematic, the parties to the case may experience this differently. The Committee did not, however, find that the judge had exceeded the limits of proper judicial conduct.

ETHICAL PRINCIPLES FOR JUDICIAL CONDUCT

The ethical principles for judges in Norwegian courts aim at promoting conduct among judges that generates and enhances public confidence in the courts and court decisions. The principles shall also serve as a source of information to judges and users of the courts of what is considered to be proper conduct of judges. These ethical principles have been adopted by the Norwegian Association of Judges, Tekna's Sector Union for the Land Consolidation Courts and the Norwegian Courts Administration, and they are jointly prepared by these institutions. These principles apply to both professional judges in the ordinary courts and judges in the land consolidation courts, and they are applicable to conduct both within and outside the adjudicatory role.

1. Fundamental requirements

Judges should conduct themselves in conformity with the law, the legal system and norms for proper conduct among judges, and in such a way that it promotes public confidence in the courts.

2. Independence

A judge should exercise his/her adjudicative role with independence, without an extraneous judicial influence from public or private interests.

3. Impartiality

A judge should exercise their adjudicatory role with impartiality, both in fact and by appearance, and in such a way that the impartiality of the judge cannot be reasonably questioned. Judges should not express any legal preposition in cases that either are allocated to the judge or are likely to be allocated to him or her. Judges should exercise their adjudicative role without prejudice. Judges should actively create conditions for amicable solutions. However, the parties should not be subjected to pressure from judges in achieving such solutions.

4. Integrity

Judges should behave in a way that does not threaten the public confidence in the courts and judiciary. A judge must not, for own benefit or for others, receive gifts or other benefits that may be regarded as being related to the exercise of their adjudicative role.

5. Equality

Judges should pay attention to the principle of equal treatment of parties and other actors before the courts. Judges should base their decisions on objective considerations when awarding tasks or contracts on behalf of the court.

6. Proper conduct

Judges should remain objective and conduct themselves in a dignified and correct manner with everyone that they relate to in the exercise of their adjudicative role. Judges should see to that lay judges take part in the proceedings as full members of the court. Judges should respect the role of the lawyers and public prosecutors. A lawyer should not be identified with his or her client.

7. Formulation of court decisions

Judges should, in his or her formulation of court decisions, pay due regard to all involved persons, so far it is in conformity with the requirements for the legal grounding of decisions.

8. Discretion

Judges should – in addition to comply with statutory duty of confidentiality – act with discretion in sensitive matters that the judge becomes aware of in his or her work. Judges should not use such information for any other purpose than for official duties. Judges should keep confidential the

content of the courts' conferences and voting that took place behind closed doors. Judges should not announce the decision before the decision is passed.

9. Competence

Judges should maintain and enhance their professional competence and skills.

10. Efficiency

Judges should exercise their adjudicative role with efficiency and due speed; so far it is in conformity with the requirements for proper procedures and professional quality. When significant delay occurs in a case, the judge should notify the parties affected.

11. Statements, et cetera

Judges enjoy freedom of expression, freedom of religion and freedom of assembly and association, on equal terms with all citizens. Judges should however, in his or her exercise of these rights, pay attention to the dignity and impartiality of the court, as well as to its independence and neutrality. Judges should be cautious when commenting on pending court cases, and on his or her own decisions.

12. Judges' relation to the media

Judges should respect the media's role in the courts, and should provide the public with information concerning the cases that are dealt with by the courts.

13. Conduct of judges outside the role of judge

Judges should also, outside the role as a judge, act so that their conduct is not inappropriate and damages the respect or confidence in the courts. Judges should not make use of the title of judge in a way that may cause confusion of their roles/mix of positions, or when such use otherwise is not justified. Judges should act with caution in giving advice, or otherwise engage in other litigation.

14. Retired judges

Retired judges should restrain from conduct that may be perceived as an inappropriate or unfortunate exploitation of the title of judge.

15. Collegial intervention

Judges that become aware of violations of these ethical principles committed by colleagues, should address this in a suitable way, and intervene when substantial violations occur.

1 October 2010