



Reginald M. Turner
President, American Bar Association
321 N. Clark St.
Chicago, IL, 60654
Delivered via email to rturner@clarkhill.com

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Dear President Turner:

This is Gabe Roth and Tyler Cooper of Fix the Court, a national nonprofit that advocates for greater transparency in our judicial system. We write you to ask for the ABA's leadership and guidance to help improve federal and state judicial disclosure requirements. Specifically, we urge you to support online public access to judges' annual financial disclosure reports and contemporaneous reporting of judges' securities transactions.

As you are aware, on Sept. 28 the *Wall Street Journal* [reported](#) that they had identified 131 federal judges who failed to recuse in 685 cases in which they held a financial interest in one of the parties. In response to this investigation, a bipartisan, bicameral [bill](#), the Courthouse Ethics and Transparency Act (H.R. 5720; S. 3059), was introduced to require the judiciary to post judges' disclosures online within 90 days of the annual filing deadline and require judges, as members of Congress have done for nearly a decade, to file a periodic transaction report (PTR) within 45 days of a stock sale or purchase. The bill passed in the House by a vote of 422-4 on Dec. 2 but has stalled in the Senate.

We believe that these financial reporting requirements are also needed at the state level, as many states' judicial financial disclosure laws are even less stringent than the minimal standards currently set at the federal level. Since the *Journal's* reporting, Fix the Court has [studied](#) a select number of states and found that, for example, Delaware, Iowa, Michigan, New York, Ohio and Texas do not even make judges' annual financial disclosure forms available to the public online. We found no state that requires judicial PTRs.

This lack of easily accessible information undermines public faith in judicial ethics. Not only should annual financial disclosure forms be made available online for public viewing, but in order for litigants and the broader public to truly have faith that judges are not participating in cases in which they have a financial interest, it is necessary, too, to require PTRs to be posted online around the time a stock transaction occurs.

We ask the ABA to formally support the Courthouse Ethics and Transparency Act and to join us in supporting similar standards on disclosures and PTRs for state judiciaries.

We also ask that you [review our request](#) from last year to develop uniform standards regarding the information that is included in judicial financial disclosures.

Thank you for your consideration.

Sincerely,
Gabe Roth
Executive Director
Fix the Court

Tyler Cooper
Senior Researcher
Fix the Court