

SORRY STATE OF DISCLOSURE

HOW STATE SUPREME COURT
JUSTICES HIDE FINANCES AND
PERKS FROM THE PUBLIC

FIX 
THE COURT

MARCH 2024

02

TABLE OF CONTENTS

ACKNOWLEDGEMENTS.....	3
WHY NOW AND WHAT WE'RE LOOKING FOR.....	4
HOW WE HOPE THIS REPORT IS USED.....	6
OBTAINING THE REPORTS.....	7
GRADING THE STATES: ACCESS TO DISCLOSURES (10 POINTS).....	8
GRADING THE STATES: CONTENT OF DISCLOSURES (20 POINTS).....	8
THE ONE-PAGE AND ZERO-PAGE CLUBS.....	9
THE GRADES.....	10
WHAT STATES SHOULD TAKE AWAY FROM THIS REPORT.....	11
WHAT THE FEDS CAN LEARN FROM THE STATES.....	12
HOW TO OBTAIN THE DISCLOSURES IN EVERY STATE, PLUS ONE OR TWO INTERESTING FACTS FROM EVERY STATE.....	14

03

ACKNOWLEDGEMENTS

Fix the Court thanks Ashley Alarcon and Abigail Rillo for their assiduous fact-checking of the state supreme court chief justices' disclosures spreadsheet, [TinyURL.com/StateFDRs](https://tinyurl.com/StateFDRs). They went state by state, report by report, to ensure all of the information about gifts, reimbursements, investments, outside income and more was accurate – and when there were errors to flag and fix them.

Ashley graduated from the University of Florida in December and will start law school in the fall; Abby will graduate UF this spring. Both work at UF's Brechner Center for Freedom of Information at the College of Journalism and Communications, and it was Brechner's director, Dave Cuillier, who connected the two with Fix the Court.

Fix the Court thanks E.J. Haas, a dual-enrollment (undergrad and graduate) student at the University of Missouri's School of Journalism, who traveled from Columbia to Jefferson City to obtain and transcribe the information on all the Missouri justices' 2022 disclosures, as they wouldn't let her leave the building with copies. E.J. was put in touch with Fix the Court thanks to Diana Fuentes, the executive director of Investigative Reports & Editors.

Fix the Court thanks its law clerks, primarily Olivia Rae Okun-Dubitsky, for their help in compiling the information in the disclosures database. Olivia Rae is also responsible for the layout of this report, and we thank Ashley for an earlier iteration of the layout.

Finally, Fix the Court thanks Steve Cavendish, the editor-in-chief of the *Nashville Banner*, for help in obtaining a disclosure from Tennessee after a court official there said he'd only release the report to a state resident.

04

WHY NOW AND WHAT WE'RE LOOKING FOR

A decade ago, the Center for Public Integrity spent nine months tracking down and reviewing the annual financial disclosure reports of supreme court justices in all 50 states.

CPI gave 43 states failing grades due to the difficulty in obtaining the 2012 reports and/or the scant information offered in them. No state received above a C. (The report can be found at [TinyURL.com/CPI-2013](https://www.cpi-usa.org/TinyURL.com/CPI-2013).)

Considering the national spotlight on judicial disclosures these days, Fix the Court wanted to check back in with the states and see how many of them have improved public access and expanded the content.

What we found over the last few months is nearly as bleak a picture as CPI found in 2013.

For starters, the vast majority of states were using the same disclosure forms¹ in 2022 (the year we asked for) as they used in 2012 (the year CPI asked for).

That means despite all we've learned in the last decade about the might and impact of state supreme courts, and all we've learned about state judges across the country with major ethics problems, from [West Virginia](#) to [Wisconsin](#) to [Texas](#) and beyond, **most states appear to be okay with keeping judicial disclosures short on detail and hard to obtain.**

So just like in 2012, [Kentucky](#) justices, for example, still did not have to report spousal income in 2022, [Michigan](#) justices still did not have to report their debts, and [Mississippi](#) justices still did not have to report their gifts.

An excuse might be: "our state judges just fill out the same reports that elected officials fill out." That's not good enough. **With state courts' power increasing precipitously, stronger oversight tools must be brought to bear.**

On the semi-positive front, twice as many states post their only (or "primary," in states that require two reports) judicial disclosures online today as did last decade (12 then vs. 24 now). **But that still means half the states, 24 of 48 (Idaho and Utah don't have judicial disclosures), are not posting justices' primary disclosures online.** Counted a different way, there are 60 judicial disclosure reports in total from 48 states. **Twenty-eight of the 60 are posted online; 32 are not.**

1. In total, 32 out of 45 states use essentially the same forms. 13 states updated their forms, three states' 2012 forms are no longer on the Center for Public Integrity website, and two states in 2022 had no disclosure requirement for supreme court justices.

05

How did we obtain the not-online disclosures? Six states required us to fill out a form to obtain them, four required calling the state courts or state ethics commission to find the right person to send the report to us, and one required printing out a request form and mailing it in. **That was New Jersey, and they ended up emailing the report to us after all.**

Speaking of email, two dozen states² require sending an email to someone to obtain a report, but that someone is not evident and has a very different job title state to state. Sometimes it was the supreme court clerk, or their assistant, or the state courts administrator, or the supreme court's community relations or public information officer, or the court's law library staff, or the commission on judicial qualifications, or the state ethics commission director or the executive director of the registry of election finance, or the secretary of state's help desk, or the board of professional conduct.

In one state, Missouri, we had to show up in person just to view the disclosures.

Of the 12 states that require its top judges to file a secondary disclosure each year, **eight of them are not posted online.** (More in "Obtaining the Reports," p. 7.)

Content-wise, 28 of 48 states with judicial disclosures require less information to be disclosed than what the federal judiciary requires. (More in "Grading the States," p. 8). Though the federal reports are not awful – they receive eight out of 10 points on our scale – anyone who's read a federal judge's report knows **it leaves much to be desired.**

THE BOTTOM LINE

Some states appear to make it hard on purpose to obtain the information contained in the (already less-than-comprehensive) disclosures.

In other words, **states are effectively withholding information about their top judges to shield them from accountability or repercussions for their actions.**

If the public doesn't know what type of gifts or reimbursements a justice has received during the year, or what investments they have, **how can we be certain the justice is truly unbiased no matter what cases come before them?**

All that said, we're not here to point fingers. Yet. (It appears there's some combination of state legislatures being asleep at the wheel and state courts lobbying against reform that has caused the sorry state of judicial disclosure nationwide, but determining how this is playing out in varying degrees across the 50 states is a project for another day.)

Finally, the report is not all bad. Like CPI's report, FTC scored the states, though we used different metrics to do so. **And more than a dozen states received "passable" grades – far more than we had expected from the outset.**

2. All of this is discussed in exhaustive detail at TinyURL.com/StateFDRs.

06

HOW WE HOPE THIS REPORT IS USED

As a resource for obtaining state judicial disclosures

1

We show how easy or how difficult it is to obtain a state supreme court justice's disclosure and offer websites, links, phone numbers and email addresses of state officials to help folks locate these reports more easily in the future.

To highlight information critical for conducting oversight

2

We describe the content of the disclosures and compare the state reports to those federal judges and U.S. Supreme Court justices fill out each May.

To offer suggestions for improvement

3

Based on information garnered from the disclosures, we make suggestions for how the report can be improved so that should we do this again in 10 years, all 50 states – and more importantly for us, the federal judiciary – can receive the full amount of points, which should mean a complementary rise in accountability.

07

OBTAINING THE REPORTS

The first task was to locate the most recent financial disclosure report from every state's chief justice, the 2022s. **That turned out to be harder than it sounds.**

Most states, as noted above, do not post their reports online; only 24 do. And the number 24 is generous, since eight of the 24 online states make their judges fill out a secondary disclosure report that's not posted online. However you slice the numbers, they are unacceptable.

More on the secondary disclosures: Rules 3.12-3.15 of the ABA's Model Code of Judicial Conduct, which most state court systems have adopted close to verbatim, say judges should report their outside income, reimbursements and gifts annually. Yet for whatever reason, 12 states have not merged the secondary disclosures – sometimes referred to as a “gifts/reimbursements disclosure,” or “extra-judicial income disclosure” – with the primary ones that are required by the courts, an ethics commission or other oversight body.

Of the 12 secondary reports, four are posted online: in Colorado, Georgia, Kentucky and New Mexico. But in Colorado and Kentucky, what we're calling the primary financial disclosure is not posted online.

To summarize, sometimes the primary disclosure report is online, but the secondary report is not, and vice versa. Sometimes both are; sometimes neither is.

For the 24 states without any online disclosures, and for the states where one disclosure is online but the other isn't, there's a smorgasbord of ways to obtain them, as noted at the top of page 5 of this report.

Here are the most difficult states to get disclosures from:

- In Missouri, you have to go to Jefferson City to inspect the reports in person; the Show Me State won't otherwise show you their judicial disclosures.
- In New Jersey, the rules state that a requester must print out, fill out and mail in a form with a check, as the state can charge a nickel per report page they send back.
- In Tennessee, primary disclosures are posted online, but secondary ones aren't. To obtain those, you have to be a “Tennessee resident/citizen,” according to Gene Guerre, assistant general counsel of the Administrative Office of the Courts. Or, in our case, you have to know someone in Tennessee who's willing to make the request on your behalf.

Once we found or received the disclosures, we posted links to them in a big spreadsheet, [TinyURL.com/StateFDRs](https://www.tinyurl.com/StateFDRs), and described there how we got each of them, who we got them from, and how long it took to get them.

08

GRADING THE STATES: ACCESS TO DISCLOSURES (10 POINTS)

States were first graded on public access to the reports:

If a report is online, a state received **10 points**. If it's not online, but we were able to obtain it from a state official in under two hours, a state received **8 points**. If it took more than two hours and up to one business day, **6 points**.

If it took more than one business day and up to seven business days, **4 points**; more than seven business days and up to a month, **2 points**. More than a month, **1 point**. You have to show up in public to obtain the report or the report is only released to state residents, **0.5 points**. There is no report, **0 points**.

If state justices are required to file two reports each year, the points awarded are an average of two scores – for how long it took to obtain each report.

GRADING THE STATES: CONTENT OF DISCLOSURES (20 POINTS)

Content was graded on a curve: we based on these grades on the information contained in the reports filed by federal judges and U.S. Supreme Court justices each year. Then we doubled the score since we feel that content is roughly twice as important as access.

Federal reports include the following sections: (1) Positions, (2) Agreements, (3) Non-Investment Income Filer, (4) Non-Investment Income Spouse, (5) Reimbursements, (6) Gifts, (7) Liabilities, (8) Investments and Trusts, (9) Additional Information and (10) Certification. We compared that to what's in the state reports – save two sections.³

That means for grading state reports, we awarded one point for each of eight sections:

- Positions
- Non-Investment Income, Filer
- Non-Investment Income, Spouse
- Reimbursements
- Gifts
- Liabilities
- Investments and Trusts
- Certification

3. We took out "Agreements" and "Additional Information," since those sections are either redundant (e.g., a judge can have an "agreement" to teach, and then the income appears in the "outside income" section) or hard to capture (depending on the state, "additional information" can include anything from omissions and corrections to changes in the name of an investment, and some states allow a judge to email an administrator about these sorts of things, which we'd never be able to capture).

09

States were award half-points for the following information, which is not in the federal reports but should be:

- Value/amount of gifts received
- Value/amount of reimbursements received
- A separate real estate section
- A confirmation of attendance at ethics training

We considered awarding points for two other sections we saw in several reports:

- family-member lobbying
- government contracts awarded to family members

Though lobbying and state contracts might be accounted for in other sections, e.g., “outside/spousal income,” having standalone sections seems reasonable. It’d be helpful to know, without having to dig too much, if anyone related to a justice is paid to affect legislation (the validity of which might be decided by the courts). And it’d be helpful to know whether a judge’s family member is getting paid by a state, since government contracting is a field that historically has been prone to corruption.

In the end, we decided that concerns over lobbying and contracting were secondary to those over the secondary residences judges and justices have, whether they’re required to complete annual ethics training and if they’ve in fact completed it. So we gave states an extra half-point each for including real estate and ethics training sections in their disclosures. **Disagree? We’d be happy to have that conversation.**

THE ONE-PAGE AND ZERO-PAGE CLUBS

Before we get to the scores, it’s worth noting that **four states permit their justices to fill out a single sheet of paper each year and call that “disclosure.”** And two states have no disclosure requirement at all.

Now, some of these single pages include gifts, reimbursements and outside income, which yielded the state a few points and moved it up from the “failing” category to the “poor” category. But there’s no real way to do oversight work on supreme court justices in **Michigan, North Dakota, South Dakota** and **Wyoming** – **the one-page club** – with such scant information. (It’s even worse in **North Dakota**, where if a judge earns no outside income and receives no gifts or reimbursements during a calendar year, he or she doesn’t file a report.)

The zero-page club? That’s **Idaho** and **Utah**, which don’t require its top state justices to submit annual financial disclosure reports. **Sadly, some of the most beautiful states appear to have the ugliest attitudes toward disclosure.**

10

THE GRADES

First quartile: Passable, >24 points

1. California (29 points)
2. Arkansas (28)
3. Arizona (27.5)
4. (tie) Georgia (27)
 - Hawaii (27)
 - New Mexico (27)
 - Wisconsin (27)
8. (tie) Illinois (26)
 - Washington (26)
10. Virginia (25.5)
11. (tie) Louisiana (25)
 - Massachusetts (25)
 - Rhode Island (25)
14. West Virginia (24.5)

Second quartile: Average, 21-24 points

15. (tie) Colorado (24)
 - Indiana (24)
 - Maine (24)
 - Ohio (24)
19. North Carolina (23.5)
20. Texas⁴ (22.5)
21. (tie) Kansas (22)
 - Oregon (22)
23. (tie) Alaska (21)
 - Florida (21)
 - New Hampshire (21)
 - Pennsylvania (21)

Third quartile: Poor, 17-20 points

27. (tie) Delaware (20)
 - Federal courts (20)**
 - Wyoming (20)
30. (tie) Maryland (19)
 - Montana (19)
 - Nebraska (19)
 - Vermont (19)
34. (tie) South Dakota (18)
 - Nevada (18)
36. Tennessee (17.25)

Fourth quartile: Failing, <17 points

37. Missouri (16.5)
38. (tie) Minnesota (16)
 - Mississippi (16)
 - New York (16)
 - North Dakota (16)
 - Oklahoma⁵ (16)
43. Connecticut (15)
44. Kentucky (14.5)
45. (tie) South Carolina (14)
 - Alabama (14)
47. (tie) Iowa (13)
 - Michigan (13)
49. New Jersey (12)
50. (tie) Idaho (0)
 - Utah (0)

4. This is the Supreme Court of Texas, which is the top state court for civil matters. We did not review disclosures from the Texas Court of Criminal Appeals.

5. This is the Supreme Court of Oklahoma, which is the top state court for civil matters. We did not review disclosures from the Oklahoma Court of Criminal Appeals.

11

WHAT STATES SHOULD TAKE AWAY FROM THIS REPORT

1. Too many states are not posting their justices' disclosure reports online, and that needs to be fixed.

It's 2024, and there's no valid excuse.

"We'd need legislation to do that," one [New Jersey](#) official told us. Well, maybe.

If court officials don't want to anonymously send them to media (also a possibility), **the chief justice of any state could make a call to a legislator of his or her choice** and get a bill drafted and introduced in no time.⁶

2. Disclosures should not be located in two or three different places.

As mentioned, in a dozen states, there's a primary financial disclosure report required by a state ethics commission or courts system and a secondary gift and outside income report required by a state's code of judicial conduct (and did we mention there's sometimes another that's filed around the time a justice stands for a retention election? We didn't even get into those here).

Instead, **a single, comprehensive annual report posted online within a month of the filing deadline** should be the norm.

3. The number people on the other end of the phone who had no idea what we were talking about when requesting a disclosure or gifts report was unsettling.

Yes, some were new or at an admin level that doesn't typically deal with disclosures, but come on. Financial disclosure is part of every high-level public official's job, so **everyone in public service should have a basic familiarity with the reports.**

6. Having assisted in drafting the bipartisan Courthouse Ethics and Transparency Act, which since 2022 has required that federal judges' and justices' annual disclosures be posted online, Fix the Court would be happy to help.

12

WHAT THE FEDS CAN LEARN FROM THE STATES

1. There should be a separate section in federal judiciary reports for real estate.

Currently, real estate holdings are only listed in the federal reports if income is earned or if there's a transaction, but that's not enough information.

Regarding transactions, if a justice sells their property and either **breaks even** (as we believe Justice Gorsuch did in the 2017 sale of "Walden LLC," i.e., his co-owned Colorado vacation home) or **loses money**, they aren't required to note **that fact**.

A total of 31 states have a discrete place for justices to list their non-primary residences and/or land they own. **That should be the norm.**

2. There should be a separate section in federal judiciary reports for ethics training (and the 49 states that don't have an ethics training section should add one).

Sad to say that only one state, Hawaii, has a standalone section where justices confirm that they've completed their mandatory annual ethics training of at least three hours during the prior year.

Other states do have training or CLE/CJE requirements for their judges; they simply don't have a separate disclosure section confirming that the training's been completed. (We're working on capturing what these requirements are and will add them to our disclosures spreadsheet soon.)

There is no reason the Federal Judicial Center couldn't work with circuit chief justices and circuit executives to create trainings on workplace conduct, financial management, conflict oversight and more. **"Judges would hate this, but they should have to do it," one state court judge told Fix the Court when they were told about our recommendation.**

If everyone in the private sector, and much of the public sector, is required as part of their job to attend ethics or workplace conduct of trainings each year, or to do them via modules on their computers, **then federal judges should, as well.**

13

3. A third of the states require their justices to list the exact amount of reimbursement they've received for transportation, lodging and meals. The feds do not, but they should.

And like most of the states that require this, there should be a line item for each of those three categories (transportation, lodging and meals), not a combined list or a range.

As Fix the Court wrote⁷ to the judges on the Judicial Conference's Committee on Financial Disclosure last May in requesting this change:

“[C]learly, there are different ethical implications when an institution hosting a judicial officer flies the officer coach, puts them up at the Radisson and gives them a rubber chicken dinner as compared to flying them first class, putting them up at the Ritz and treating them to a meal at a Michelin-starred restaurant.”

7. Read the letter at <https://fixthecourt.com/wp-content/uploads/2023/05/FTC-letter-to-CFD-5.3.23.pdf>.

14

HOW TO OBTAIN THE DISCLOSURES IN EVERY STATE, PLUS ONE OR TWO INTERESTING FACTS FROM EVERY STATE

Alabama (14 points; failing):

Alabama justices' Statements of Economic Interest can be found via search on the Ethics Commission's website. Alabama is the one of the 12 states that requires its justices to file a second report but the only state where that disclosure (or any disclosure, for that matter) "shall be sealed and kept confidential by the Clerk of the Supreme Court," per the form's instructions.

Alaska (21 points, average):

To obtain Alaska justices' Personal Financial Disclosures, email the Alaska Department of Administration at apoc@alaska.gov. Though Alaskan disclosures require ranges for outside income and gifts (we prefer exact dollar amounts), those ranges are the narrowest among the states, with nine under the half-million-dollar mark: \$250-\$1,000, \$1,000-\$2,000, \$2,000-\$5,000, \$5,000-\$10,000, \$10,000-\$20,000, \$20,000-\$50,000, \$50,000-\$100,000, \$100,000-\$200,000, \$200,000-\$500,000. That compares favorably to the federal judiciary's ranges for investments and trusts (only five under half a million dollars): \$0-\$15,000, \$15,001-\$50,000, \$50,001-\$100,000, \$100,001-\$250,000 and \$250,001-\$500,000.

Arizona (27.5 points, passable):

Arizona justices' Financial Disclosure Statements can be found under a dropdown on the Secretary of State's website. Among all states, Arizona requires the most detailed listing of business interests held by justices and their spouses. N.B., readers: a "dependent business" here is not a business controlled by a dependent.

Arkansas (28 points, passable):

Arkansas justices' Statements of Financial Interest can be found via search on the Secretary of State's website. The state includes a section titled "Past-Due Amounts Owed to Government," so officials can be held accountable for late taxes and the like. In addition, the Chief Justice appears to have one of the most unexpected forms of outside income: making some extra money by renting out of the roof of a building he owns to a company that operates six radio stations.

California (29 points, passable [**highest score**]):

California justices' Statements of Economic Interests can be found via search on Fair Political Practices Commission website. The instructions printed on the gift/outside income section of the reports include this admonishment: "Per Government Code Section 89506, these payments may not be subject to the gift limit. However, they may result in a disqualifying conflict of interest." Imagine the second sentence being including on the federal forms!

15

Colorado (24 points, average):

Colorado justices file two reports: Personal Financial Disclosure Statements can be obtained by emailing the Secretary of State's office at CPFHelp@coloradosos.gov, and Gifts and Honoraria Reports can be found via search on the Secretary of State's website. Colorado allows judges simply to check a box on their report if there was "NO CHANGE" in their financial situation in the prior 12 months. (Not great.) That said, their secondary report, disclosing gifts and honoraria, must be filed quarterly.

Connecticut (15 points, failing):

To obtain Connecticut justices' Financial Disclosure Statements, email the Law Library Services of the Connecticut Judicial Branch at lawlibrarians@jud.ct.gov. States have varying definitions of what constitutes a "gift," and which "gifts" its justices must report, but Connecticut makes one category of gifts quite clear: they have a section called "Invitations to Attend an Event Without Charge" with a \$250 floor that also requires a judge to list who they brought, whether spouse, child or other guest.

Delaware (20 points, poor):

To obtain Delaware justices' Public Officer Financial Disclosure, one must file a FOIA – not a federal one, of course, but, pursuant to the Delaware Freedom of Information Act, an online request on the Public Integrity Commission website. Delaware is one of the rare states that requires its justices to list who they've received reimbursements from in previous year without noting the where, the why, or the amount of reimbursement.

Federal courts (20 points, poor):

Federal judges' and justices' Financial Disclosure Reports can be found by visiting the judiciary's disclosures database, pub.jefs.uscourts.gov, and typing in the name of the jurist whose disclosure you're seeking. The database is typically months, if not years, behind. For comparing access to federal disclosures with those in the states, I requested via form AO10a the 2022 reports of all of the members of the Judicial Conference of the U.S. whose reports were not posted as of Jan. 5, 2024. (Twelve of the 26 members' FDRs weren't posted.) Then I⁸ waited 20 business days to see if the rest were posted (the judiciary won't send you a PDF anymore; they'll only post); only four of the 12 were. So even though the federal judiciary doesn't do the worst job capturing financial data that's critical for oversight, the process of posting these reports online where they can be reviewed by the public remains substandard.

8. The "I" in this section is Gabe, since I would never subject others to embarking on a 50-state research project, though I am very thankful all the data in the report and on the spreadsheet has been fact-checked by several colleagues and freelancers named in the Acknowledgements.

16

Florida (21 points, average):

Florida justices file two reports: justices' Disclosures of Financial Interests are found via search on the Commission on Ethics website, and their gifts disclosures, called Form 6A, can be obtained by emailing the Commission at DisclosureRecordsRequest@leg.state.fl.us. Florida's chief justice does something unique in the "reimbursements" section: he separates out the freebies he received from his host vs. the expenses for which he was paid back. In the federal reports, they're lumped together, hence the frequent repetition of the phrase "transportation, lodging, meals" in the "Items Paid or Provided" column of the Reimbursements section.

Georgia (27 points, passable):

Georgia justices file two reports: justices' Financial Disclosure Statements can be found via search on the Government Transparency & Campaign Finance Commission website, and their Rule 3.15 Reports can be found via search on a supreme court website. Georgia is only one of two states that requires two reports and has both reports online, New Mexico being the other.

Hawaii (27 points, passable):

Hawaii justices' Financial Disclosure States are posted on a State Judiciary website. Hawaii is the only state that requires its judges to attest to the fact that they've taken the required continuing judicial education classes – three hours – during the reporting year. (Teaching a one-hour class also counts as three total hours of CJE.) We cannot stress enough: every state and the federal judiciary should require both the CJE hours and the attestation on the disclosure.

Idaho (0 points, failing [**tied, lowest score**]):

Idaho is one of two states, Utah being the other, that does not require its state supreme court justices to file annual financial disclosure reports. That is pitiful. If a measure of good governance is good enough for 48 states, it's good enough for all 50. Idaho's Code of Judicial Conduct, last updated in 2017, glaringly omits Rule 3.15, which in the ABA Model Code and the code of many state judiciaries includes a disclosure requirement.

Illinois (26 points, passable):

Illinois justices' Statements of Economic Interests can be found via search on the Secretary of State's website. Illinois has a relatively short report, comprising seven sections over three pages, but two of those sections are very Illinois, for anyone who follows the state's politics (e.g., the chief justice who retired in 2022 is married to a highly influential former Chicago alderman who was convicted of racketeering, bribery, and extortion): "List the name of each unit of government of which you or your spouse were an employee, contractor, or office holder during the preceding calendar year [...]" and "If you maintain an economic relationship with a lobbyist or if a member of your family is known to you to be a lobbyist registered with any unit of government in the State of Illinois, list the name of the lobbyist below and identify the nature of your relationship with the lobbyist."

17

Indiana (24 points, average):

To obtain Indiana justices' Statements of Economic Interests, email the Commission on Judicial Qualifications at jqcinqury@courts.in.gov. Hoosiers' reports include painstakingly detailed instructions on how to fill out each section above the blanks for each section. Most states' reports include some explanation, of course, but few if any are as comprehensive as Indiana's, and we like seeing instructions on the form itself vs. in a separate file hidden somewhere on (or possibly off) the Internet.

Iowa (13 points, failing):

To obtain Iowa justices' Statements of Personal Financial Disclosure, email the State Courts Administrator at foia.appellate@iowacourts.gov. According to the disclosures we've reviewed, Iowa permits its justices to fill out their disclosures with a sharpie.

Kansas (22 points, average):

To obtain Kansas justices' Financial Disclosure Reports, email the Judicial Branch at financialdisc@kscourts.org. Kansas is one of the few states that breaks down who owns what investments-wise into four categories: "I" (individual), "S" (spouse), "DP" (domestic partner) or "DC" (dependent child or stepchild). The ownership of a stock by a spouse or dependent shouldn't change a justice's recusal calculus, of course, but the delineation is interesting.

Kentucky (14.5 points, failing):

Kentucky justices file two reports. To obtain their Financial Disclosure Reports, email the executive director of the Registry of Election Finance, John.Steffen@ky.gov, though you might have to call and bug them for a bit. And justices' quarterly Public Reports of Reimbursement are found in an online drop-down menu: go to KYCourts.gov, then About the Courts, then Circuit Court, then Judicial Reimbursements. Kentucky, like Colorado, has a quarterly reimbursement reporting requirement, but instead of being able to look up each judge's report individually, Kentucky publishes a list of all the state judges' and justices' reimbursements during the previous quarter in a single PDF posted online.

Louisiana (25 points, passable):

Louisiana justices file two reports: Personal Financial Disclosure Statements can be found via search on the supreme court website; and an extra-judicial income report can be obtained by emailing LASC Community Relations, rgunn@lasc.org. Louisiana has a requirement where its justices must file a second report listing the "gifts, loans, bequests, benefits, favors or other things of value accepted" by a justice whose value exceeds \$350, but if the justice has not received such things, they don't check a box saying nothing was received; they simply don't file a report.

18

Maine (24 points, average):

To obtain Maine justices' Financial Disclosure Reports, call the clerk's office at the Supreme Judicial Court at 207-822-4151. Maine's reports are not online, but the state has the distinction of being the one sent to Fix the Court the fastest, as I received it in my inbox before the end of my phone call. Maine Courts are permitted to charge \$2 for first page of the report and \$1 for each additional page (the report I requested was four pages), but in my case the fee was waived.

Maryland (19 points, poor):

To obtain Maryland justices' Financial Disclosure Statements, email the Administrative Office of the Courts at debra.kaminski@mdcourts.gov. Maryland permits its justices to bury you in paper, as the saying goes: I received a 71-page financial disclosure from the chief justice that included statements from his 529 accounts and his state and federal retirement accounts, plus one from his financial planner.

Massachusetts (25 points, passable):

To obtain Massachusetts justices' Statements of Financial Interest, requesters must log in to their system via username and password. To get a username and password, you must fill out an online form, upload a picture of your ID and then wait for approval (which, thankfully, took less than a day in my case). Even so, the Bay State is the only state to require logging in to a secure online system to obtain justices' disclosures.

Michigan (13 points, failing):

To obtain Michigan justices' Financial Reports, email any of the contacts listed on the Courts Public Information Office website. Michigan's reports require justices to list outside income, campaign contributions (if a justice is running in a retention election) and gifts over \$375. That's it – all on a single page. (Disclosures from North Dakota, South Dakota and Wyoming are also single-page letters or reports.) I made a plea to a state judiciary official expand the categories of disclosure, and I was told the Court "is always looking at ways to make our justice system more transparent," which I am taking as a positive sign.

Minnesota (16 points, failing):

Minnesota justices file two reports: justices' Statements of Economic Interest can be found via search on the Campaign Finance and Public Disclosure Board website; and to obtain their reports on Compensation for Extra-Judicial Activities, email any of the contacts listed on the Court Information Office website, and they'll mail it to you as soon as they can. Court officials appeared hamstrung by, and not happy with, the antiquated "you must mail it policy" for the second report, with one telling me "I'm sorry you had to wait so long" to receive it.

19

Mississippi (16 points, failing):

Mississippi justices' Statements of Economic Interest can be found via search on the Ethics Commission website. Fix the Court did not track the punishments that state supreme court justices can receive for not filing their reports (or filing them late, or lying on them), but on Mississippi's, it's hard to miss. The sentence, "I understand it is a crime to knowingly fail to disclose information required by law and is punishable by a fine of Ten Thousand Dollars (10,000.00)" is written in bold right next to the signature line.

Missouri (16.5 points, failing):

Missouri is a disaster. Back in 2012, the Center for Public Integrity reporters had to go to the Supreme Court building in Jefferson City to obtain the reports, but at that time, they were permitted to leave the building with a copy of them. Fix the Court in 2024 was not so lucky. We hired a Missouri J-School student, E.J. Haas, to get them, and she was told by a court administrator that never in the three years she worked there were people allowed to make copies of the reports. What's more, they didn't allow E.J. to take photos of the reports. So instead, she meticulously copied by hand all of the information on all seven justices' (and two retired justices') reports and then took pictures of her notes, which she texted to me and which are all linked to in our TinyURL.com/StateFDRs spreadsheet.

Montana (19 points, poor):

Montana justices' Business Disclosure Statements can be found via search on the Commission on Political Practices website. According to the business disclosure statement of Montana Chief Justice Mike McGrath, he has no savings outside of his government pensions and retirement accounts (and possibly bonds, which are not required to be reported). That makes some sense, given that he's worked in government his whole career, but that appears to be rare, if not unique, among the chief justices.

Nebraska (19 points, poor):

To obtain Nebraska justices' Financial Interest Statements, email the Clerk of the Supreme Court at nsc.clerksoffice@nejudicial.gov. Colfax County, Neb., is about an hours' drive north of Lincoln, and that's where Chief Justice Heavican owns two plots of pasture land that also makes hay. How much land? A couple hundred square feet, tops. The plots – "The SE ¼ of the NW ¼ of Section 2, Township 17 North, Range 4, East of the 6th PM" and "The West 2 Rods of the NE ¼ of the NW ¼ of Section 2, Township 17 North, Range 4, East of the 6th PM" – appear to be in the southeastern corner of the county outside of Rogers, by the Platte River, near the intersection of Route G and Route 17. Locating these was not a good use of time.

Nevada (18 points, poor):

Nevada justices' Financial Disclosure Statements can be found via search on the Nevada Judiciary website. Nevada does not require judges to list their spouses' income (quite rare

20

among the states) or gifts given to spouses (more common but still pretty rare), but they do require an accounting of any reimbursements given to spouses for accompanying the judge on a free or reimbursed trip.

New Hampshire (21 points, average):

To obtain New Hampshire justices' Financial Disclosure Statement, call the Supreme Court clerk's office at 603-271-2646. Chief Justice Gordon MacDonald was one of the few chiefs to list book royalties on his report, yet to reach the reporting threshold of \$5,000, he'd only have to sell 54 books, assuming a 25 percent royalty on his \$377 civil procedure tome. A 15 percent royalty? That'd be 89 books.

New Jersey (12 points, failing):

To obtain New Jersey justices' Financial Reporting Statements, one must theoretically fill out a Request for Disclosure of Judicial Financial Reporting Statement and mail it to the Superior Court Clerk's Office, and the state can charge a nickel per page produced. I did this on Dec. 20 (the check I sent in was for \$1 just to be safe) but I didn't receive anything in return for a couple of months. After trying several other avenues over some weeks, I eventually received the report from stephanie.corbopecht@njcourts.gov, the clerk's assistant, and the fee was waived. The Request for Disclosure and uncashed check were returned to me, as well. New Jersey asks judges to report "any interest held in land or building in Atlantic City other than the judge's residence," which makes some sense given the long history of corruption crossed with real estate in that corner of the world.

New Mexico (27 points, passable):

Like Georgia, both of New Mexico's judicial disclosures are online: justices' Financial Disclosure Reports can be found via search on the Secretary of State's website; and their Reports of Extra-Judicial Compensation can be found on a Supreme Court website. New Mexico is one of three states – Kentucky and Wyoming being the others – that direct people to a single PDF containing the extrajudicial compensation reports for every justice on their supreme court, which may be okay from a uniformity perspective but isn't great from the perspective that it's a best practice for each justice to file their own homework, so to speak.

New York (16 points, failing):

To obtain New York justices' Statements of Financial Disclosure, one must fill out a form located on the New York Courts website and then attach that to an email sent to the state Ethics Commission for the Unified Court System at ethicscomm@nycourts.gov. New York is one of six states – Delaware, Massachusetts, New Jersey, Vermont, and Wisconsin being the others – that require individuals to fill out a formal (read: unnecessary) request for judges' financial disclosures.

21

North Carolina (23.5 points, average):

North Carolina justices file two reports: their Statements of Economic Interest can be found via search on the State Ethics Commission website; their Reports of Gifts and Quasi-Judicial or Extra-Judicial Income Sources can be obtained by emailing the Supreme Court clerk at geb@sc.nccourts.org. North Carolina unfortunately does not require its judges to list the value of their stock holdings, and the Tar Heel state has one of the highest reporting thresholds – tied for second with Indiana, Missouri, Tennessee, and West Virginia – though behind Oklahoma’s astronomical threshold of a \$50,000 in profit in a given year. That said, they do require judges to list stocks that brought in more than \$5,000 in dividends, from which one may be able to extrapolate the range of a holding’s value.

North Dakota (16 points, failing):

To obtain North Dakota justices’ Reports on Compensation for Extra-Judicial Activities, call the Supreme Court clerk at 701-328-2221. North Dakota doesn’t have a true financial disclosure, just what I’ve been calling a “secondary report,” which, on a single sheet of paper, lists outside income over \$500 and gifts and reimbursements over \$250. If a judge earns no outside income and receives no gifts or reimbursements he or she doesn’t have to file a report the whole year.

Ohio (22 points, average):

To obtain Ohio justices’ Financial Disclosure Statements, call the Ohio Board of Professional Conduct at 614-387-9370. Ohio’s Code of Judicial Conduct has several “Comments” sections that, uniquely and helpfully, compare the current text both to a pre-2009 version of the Code and to the ABA Model Code of Judicial Conduct.

Oklahoma (16 points, failing):

To obtain Oklahoma justices’ Financial Disclosure Statements, email the Ethics Commission at ethics@ethics.ok.gov. Oklahoma has by far the highest threshold for listing investments: judges are only required to include their stakes in publicly traded companies when they’ve made more than \$50,000 from a sale or dividend in the prior year.

Oregon (22 points, average):

Oregon justices’ Statements of Economic Interest can be found via search on the Government Ethics Commission website. Oregon’s judicial reimbursements appear to be listed in dollar amounts, but there are no dollar signs, commas or decimal points, so it’s hard to be certain at a glance.

Pennsylvania (21 points, average):

To obtain Pennsylvania justices’ Statements of Financial Interest, email the administrator of the Administrative Office of Pennsylvania Courts at nicholene.dipasquale@pacourts.us.

22

Pennsylvania is one of just three states, Oregon and Washington being the others, that requires judges to list the addresses of the companies in which they hold stock. The public need for the PNC Bank or Goldman Sachs headquarters address to be listed in a disclosure is zero.

Rhode Island (25 points, passable):

Rhode Island justices file two reports: their Yearly Financial Statements can be found via search on an Ethics Commission website; and to obtain their gift reports email an assistant state court administrator at akriss@courts.ri.gov. Rhode Island's category of reimbursement is called "out of state travel," which makes sense when you hail from the smallest of the 50 states. The Chief Justice is also the director of a historic cemetery 20 minutes north of Providence where half a dozen Revolutionary War veterans are buried.

South Carolina (14 points, failing):

To obtain South Carolina justices Disclosure Statements, email Lauren Brown, the public information director of the South Carolina Judicial Branch, at media@sccourts.org. Chief Justice Donald Beatty noted a reimbursement in his 2022 disclosure from the Pennsylvania Supreme Court: he was one of four state chief justices who participated in an event in Harrisburg commemorating the 300th anniversary of the Keystone State's top court.

South Dakota (18 points, poor):

To obtain South Dakota justices' Compensation Reports, email Alisa Bousa, public information officer of the Unified Judicial System, at alisa.bousa@uj.s.sd.us. I received the chief justice's most recent report on Dec. 15 soon after I sent an email asking for it. The report, which is not really a report – it's a one-page letter in which the justice states he earned no outside income in 2023, was dated Dec. 31, i.e., two weeks later. Even if the justice was certain he wouldn't earn any outside income the rest of the year, it's generally a good practice not to predict the future.

Tennessee (17.25 points, poor):

Tennessee justices file two reports: their Statements of Disclosure Interests can be found via search on the Ethics Commission website; the other one, the Public Report of Compensation, was a bit harder to obtain. At first, Tennessee refused to send me the second report, with the Administrative Office's assistant general counsel, Gene Guerre, stating he wouldn't release to a non-Tennessee resident (a bit ironic, since my former Tennessee residency appears to have been far longer than Guerre's current Tennessee residency). So I asked Steve Cavendish, the editor-in-chief of the *Nashville Banner*, for help, and he emailed Guerre asking for the secondary report. Guerre sent it to us the next day. Thank you, Steve!

23

Texas (22.5 points, average):

To obtain Texas justices' Personal Financial Statements, email the Disclosure Filing Services at the Ethics Commission at openrecords@ethics.state.tx.us. In many states, one can't be certain what he or she will receive when requesting a disclosure. In other words, does the "2022 disclosure" cover all of 2021 but is released in 2022, or does the "2022 disclosure" cover all of 2022 but is released in 2023? I tried to be clear in my emails, but to their credit, a representative from the Texas Ethics Commission called me to double-check. Also of interest, Chief Justice Hecht appears to be the only state chief justice married to a federal judge, so it's enlightening to compare and contrast what each of them is required to list on their respective reports. For example, Chief Judge Richman's primary residence is included on Hecht's disclosure, but it's not on Richman's. There appear to be some details that don't quite match up between the reports, though I'm going to give the two the benefit of the doubt since they were married in reporting year (2022).

Utah (0 points, failing [**tied, lowest score**]):

Utah is one of two states, Idaho being the other, that does not require its state supreme court justices to file annual financial disclosure reports. That is pitiful. If a measure of good governance is good enough for 48 states, it's good enough for all 50. Utah's Code of Judicial Conduct, last updated in 2020, glaringly omits Rule 3.15, which in the ABA Model Code and the code of many states' judiciaries, includes a financial disclosure requirement.

Vermont (19 points, poor):

To obtain Vermont justices' Annual Financial Disclosures, one must fill out and submit a form on the Vermont Judiciary's Data and Information Requests website. Vermont is one of six states that requires requesters to register, but unlike New Jersey, New York and Massachusetts, the process is quick and easy (and like Delaware's and Wisconsin's, the other two must-register states).

Virginia (25.5 points, passable):

Virginia justices' Statements of Economic Interests can be found via search on the state's Conflict of Interest and Ethics Advisory Council website. Virginia requires the reporting of gifts received from a "lobbyist, lobbyist's principal or [government] contractor," which is an excellent way to hold judges and other public officials accountable. The problem is that the state doesn't appear to require its judges to report gifts received from any other individuals.

Washington (26 points, passable):

Washington justices' Financial Affairs Statements can be found via search on the Public Disclosure Commission website. According to the real estate section of the Washington disclosures, justices are permitted to "claim [an] exemption for judges, sheriffs and prosecutors" so are "not required to disclose the address of a personal residence." Good, as we can't imagine why listing a justice's home address has any benefit.

24

West Virginia (24.5 points, passable):

West Virginia justices must file two reports: Financial Disclosure Statements can be found via search on the Ethics Commission website; and to obtain their Judicial Financial Disclosure Statements, which include data on extra-judicial compensation, gifts and reimbursements, email the Supreme Court of Appeals clerk at casey.forbes@courtswv.gov. In 2022, West Virginia Chief Justice Beth Walker attended three seminars that were also attended by federal judges. Yet federal judges are not required to list on their disclosures how much they were paid or reimbursed for transportation, lodging and food. Walker does, and it's a helpful insight into how much money the Judicial Education Institute, the Georgetown Center for the Constitution, and the Federalist Society are spending to bring judges to their events.

Wisconsin (27 points, passable):

To obtain Wisconsin justices' Statements of Economic Interests, one must fill out a form on the Ethics Commission website and email it to ethics@wi.gov. Wisconsin's disclosures have a unique section that ask judges to list any time they've been "charged with represent[ing a business] in its dealings with others as an attorney-at-law, agent, spokesperson, or representative." (Hagedorn hawking havarti? Protasiewicz pitching provolone? If that ever happened, they'd have to report it.) In addition, its gifts section does not include a field for listing what the gift was, so in the case of Chief Justice Annette Ziegler, she lists the names of four women who live in three different cities who gave her gifts, yet the reader has no way of knowing what was given, just that it was valued at more than \$50.

Wyoming (20 points, poor):

Wyoming justices' Justice Compensation Reports can be found via link on the supreme court website, in the right-most column, under "Reporting." Wyoming releases its five justices' disclosures in a single PDF that only requires outside income, gifts and reimbursement to be listed. It's typical that all five check the "no" box, and that's the only disclosure we get from the court all year.