

Maryland Judicial Ethics Committee

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Judge Not to Act as Uncompensated Arbitrator In Pending Court Case

You have advised the Judicial Ethics Committee that you have been asked by both sides to act as an arbitrator in a case presently pending before the X Court. You further point out that your participation would be without compensation, and you request a ruling of the Committee concerning the propriety of such participation.

It is the opinion of the Committee that the Canons of Judicial Ethics, Maryland Rule 1231, forbid your participation as an arbitrator. The last sentence of Canon XXX provides in relevant part: "A judge may not act as an arbitrator or moderator" This provision is unqualified, prohibiting a judge from acting as an arbitrator whether or not compensation is provided.