

Order

Michigan Supreme Court
Lansing, Michigan

October 1, 2025

Megan K. Cavanagh,
Chief Justice

ADM File No. 2023-35

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

Amendment of Canon 3
of the Michigan Code of
Judicial Conduct

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Canon 3 of the Michigan Code of Judicial Conduct is adopted, effective January 1, 2026. Additionally, the proposed amendment of Rule 6.5 of the Michigan Rules of Professional Conduct published for comment on March 6, 2025 is held for further consideration by the Court.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Canon 3. A Judge Should Perform the Duties of Office Impartially and Diligently.

The judicial duties of a judge take precedence over all other activities. Judicial duties include all the duties of office prescribed by law. A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice. In the performance of these duties, the following standards apply:

A. Adjudicative Responsibilities:

(1)-(14) [Unchanged.]

(15) Without regard to a person's race, gender, or other protected personal characteristic, a judge ~~shall~~should treat every person fairly, with courtesy and respect, and shall not intentionally or recklessly, in the performance of judicial duties, manifest bias or prejudice, or engage in harassment. To the extent possible, a judge should require staff, court officials, and others who are subject to the judge's direction and control to adhere to the same standard when interacting with~~provide such fair, courteous, and respectful treatment to~~ persons who have contact with the court.

(16) The restrictions of subrule (15) do not preclude judges or lawyers from making legitimate reference to the listed factors, or similar factors, when they are relevant to an issue in a proceeding.

B.-D. [Unchanged.]

Staff Comment (ADM File No. 2023-35): The amendment of MCJC Canon 3 prohibits, in the performance of judicial duties, judges and lawyers from intentionally or recklessly manifesting bias or prejudice and engaging in harassment.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.



I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 1, 2025

Elizabeth Kingston-Miller
Clerk