

## Ethical principles for Norwegian judges

*Adopted by the Norwegian Association of Judges, Tekna's Sector Union for the Land Consolidation courts and the National Courts Administration on October 1, 2010.*

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 National 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. Basic 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.