



**CODE  
OF  
JUDICIAL CONDUCT  
AND  
ETIQUETTE  
2024**

## Preface

In promulgating this Code of Judicial Conduct and Etiquette, the Judiciary of Belize reaffirms its steadfast commitment to the rule of law, independence of the Judiciary, and the administration of justice. This commitment is demonstrated through the development of this comprehensive framework aimed at promoting judicial excellence and fostering public confidence in the administration of justice.

Rooted in fundamental values of judicial conduct, such as propriety, accountability, integrity, impartiality, equality, transparency, independence, and competence, this Code delineates the ethical obligations incumbent upon all members of the Judiciary. It underscores the importance of decorum, respect, and dignity in judicial proceedings, emphasizing the significance of treating all individuals with fairness, courtesy, and impartiality while upholding the fundamental rights and freedoms enshrined in the Constitution of Belize.

Acknowledging the evolving nature of the Judiciary and the complex challenges it faces in a dynamic legal landscape, this Code encourages Judges to engage in continuous self-assessment, professional development, and adherence to the highest standards of legal scholarship and jurisprudence.

The efficacy of this Code hinges on the commitment and integrity of each individual within the judiciary. The Judicial Officer is duty-bound to uphold its principles with unswerving dedication, exemplifying judicial excellence. Moreover, public trust and confidence are paramount to the legitimacy and effectiveness of the Judiciary.

Therefore, we pledge to conduct ourselves with accountability, transparency, openness, and responsiveness to the needs and expectations of all court users.

Furthermore, the Judiciary of Belize aspires to be a court of excellence in accordance with the International Framework for Court Excellence established by the International Consortium for Court Excellence (ICCE). Drawing inspiration from international and regional best practices, including the Bangalore Principles of Judicial Conduct, the UN Convention Against Corruption, the Global Judicial Integrity Network, the Eastern Caribbean Supreme Court Code of Judicial Conduct, and the Caribbean Court of Justice Code of Judicial Conduct, we reaffirm our dedication to upholding the highest standards of integrity, impartiality, and professionalism in the dispensation of justice.

Through this Code of Judicial Conduct and Etiquette, may we uphold the principles of justice, fairness, integrity, and the rule of law, efficiently and effectively serving all court users and the people of Belize.

I express sincere thanks to all those who contributed to the development of the Code of Judicial Conduct and Etiquette, namely, the chairpersons and members of the Judicial Ethics Reform Committee of the Courts of Belize.

This Code of Judicial Conduct and Etiquette shall take effect on **2<sup>nd</sup> December 2024**.

**Honourable Madame Louise Esther Blenman**  
**Chief Justice of the Senior Courts of Belize**

## Preamble

WHEREAS the **Preamble of the Belize Constitution** states that the Nation of Belize is founded upon, among other things, the principles of faith in human rights and fundamental freedoms and the dignity of the human person and the equal and inalienable rights to which all members of the human family are endowed;

WHEREAS **sections 3 and 6 of the Belize Constitution** stipulate the entitlement of every person in Belize to fundamental rights and freedoms without regard to race, place of origin, political opinions, colour, creed or sex and that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law;

WHEREAS the importance of a competent, independent and impartial judiciary to the protection of human rights is given emphasis by the fact that the implementation of all the other rights ultimately depends upon the proper administration of justice;

WHEREAS an independent judiciary is likewise essential if the courts are to fulfil their roles as guardians of the rule of law and thereby to assure good governance;

WHEREAS the real source of judicial power is public acceptance of the moral authority and integrity of the judiciary;

AND WHEREAS it is essential that judges, individually and collectively, respect and honour judicial office as a public trust and strive to enhance and maintain confidence in the judicial system;

WE, the members of the Judiciary of Belize hereby freely and voluntarily accept to be guided and bound by the values and principles stated in this Code of Judicial Conduct and Etiquette.

The values which this Code upholds are:

- Propriety
- Independence
- Integrity
- Impartiality
- Equality
- Competence and Diligence
- Accountability

## DEFINITIONS

In this Code, unless the context otherwise permits or requires, the following meanings shall be attributed to the words used:

“Court” means the Senior Courts of Belize, Magistrates’ Courts and Family Courts

“Court staff” includes the personal staff of the judge including Secretaries, Marshals, Clerks-of-Court and Bailiffs.

“Judge” includes a magistrate and any person exercising judicial office, however designated.

“Judge’s family” includes a judge’s spouse, the judge’s son, daughter, son-in-law or daughter-in-law. It also includes any other close relative or person who is a companion or employee of the judge and who lives in the judge’s household.

“Judge’s spouse” includes a domestic partner of the judge or any other person of either sex in a close personal relationship with the judge.

“Judicial officer” includes a Justice of Appeal, High Court Judge or Master, Magistrate, Registrar, Deputy Registrar and Assistant Registrars.

“Propriety” means conformity with conventionally accepted standards of behaviour or morals or rules of behaviour considered to be correct.

I.  
**Value**  
**PROPRIETY**

Principle:

**Propriety and the appearance of propriety are essential to the performance of all of the activities of a judicial officer, both on and off the bench.**

Code

- 1.1 A judicial officer shall avoid impropriety and the appearance of impropriety in all of the officer's activities.
- 1.2 A judicial officer shall conduct himself or herself in a way that is consistent with the dignity of the judicial office.
- 1.3 Save in exceptional circumstances and with the approval of the Chief Justice, a judicial officer shall not offer any comment, further clarification, or explanation in the public arena on judicial decisions emanating from the Senior Courts of Belize.
- 1.4 A judicial officer shall be mindful of offering comments which may tend to disparage, criticize or otherwise undermine the decisions of fellow judicial officers including the office of the Registrar.
- 1.5 A judge shall avoid close personal association with individual members of the legal profession, particularly those who practise in the judge's court, where such association might reasonably give rise to the suspicion or appearance of favouritism or partiality.
- 1.6 Save in exceptional circumstances or out of necessity and without first notifying the Chief Justice, a judge shall not participate in the determination of a case in which any member of the judge's family represents a litigant or is associated in any manner with the case.

- 1.7 A judge shall avoid the use of the judge's residence and chambers by a member of the legal profession to receive clients or other members of the legal profession in circumstances that might reasonably give rise to the suspicion or appearance of impropriety on the part of the judge.
- 1.8 A judge shall refrain from conduct such as membership of groups or organizations or participation in public discussion which, in the mind of a reasonable, fair-minded, and informed person, might undermine confidence in the judge's impartiality with respect to any issue that may come before the courts.
- 1.9 A judge shall, upon appointment, cease all partisan political activity or involvement. A judge shall refrain from conduct that, in the mind of a reasonable fair-minded, and informed person, might give rise to the appearance that the judge is engaged in political activity.

**1.10 Non-Judicial Activities**

A judicial officer may engage in such non-judicial activities that do not, in the minds of right-thinking members of the community:

- a) cast reasonable doubt on the judicial officer's capacity to act impartially as a judicial officer;
- b) compromise the dignity of the office of the particular judicial officer; or interfere or be in conflict with the performance of the judicial duties or the office of the judicial officer.

**Political Activity**

- 1.11 A judicial officer shall refrain from conduct that, in the mind of a reasonable, fair-minded and informed person, might give rise to the appearance that he or she is engaged in political activity.
- 1.12 A judge shall refrain from:
- (i) Membership in political parties;
  - (ii) Making speeches for a political organization or candidate or publicly endorsing or opposing a political organization or candidate;

- (iii) Political fund-raising;
- (iv) Attendance at political gatherings and political fund-raising events;
- (v) Soliciting funds for or paying an assessment or making a contribution to a political organization or candidate;
- (vi) Contributing to political parties or campaigns;
- (vii) Taking part publicly in controversial discussions of a partisan political character.
- (viii) purchase tickets for political party dinners or other functions.

1.13 A judicial officer shall resign from judicial office when he or she decides to become a candidate in an election for any political office.

1.14 A judicial officer shall also consider whether mere attendance at certain public gatherings might reasonably give rise to a perception of ongoing political involvement or reasonably put in question his or her impartiality on an issue that could come before the court.

1.15 A judge shall not allow the judge's family, social or other relationships improperly to influence the judge's judicial conduct and judgment as a judge.

1.16 A judge shall not use or lend the prestige of the judicial office to advance the private interests of the judge, a member of the judge's family or anyone else, nor shall a judge convey or permit others to convey the impression that anyone is in a special position improperly to influence the judge in the performance of judicial duties.

1.17 Subject to the proper performance of judicial duties, a judge may engage in activities such as:

1.17.1 The judge may write, lecture, teach and participate in activities concerning the law, the legal system, the administration of justice and related matters;



1.17.2 The judge may appear at a public hearing before an official body concerned with matters relating to the law, the legal system and the administration of justice or related matters; and

1.17.3 The judge may serve as a member of an official body devoted to the improvement of the law, the legal system, the administration of justice or related matters.

1.18 A judge may speak publicly on non-legal subjects and engage in historical, educational, cultural, sporting or similar social and recreational activities if such activities do not detract from the dignity of the judicial office or otherwise interfere with the performance of judicial duties in accordance with this code.

#### **Use of Social Media**

1.19 With the proliferation of social networking sites which have transformed electronic communication, a judicial officer must assess carefully social interactions with individuals or organisations to consider whether such communication on social media will erode confidence in the Judicial Officer's ability to maintain the dignity of his or her office. In light of this, a Judicial Officer shall:

- (i) have regard to the prevailing Social Media Policy for Judicial Officers, and maintain dignity in every comment, photograph and any information shared on social media;
- (ii) not foster social media interactions which may convey the impression that any person is in a position to influence the judicial officer in the discharge of his or her duties;
- (iii) not make comments on social media about any matters pending before him or her or in any court which may be construed as affecting the outcome or impairing the fairness of the hearing of any particular case;

- (iv) avoid expressing or endorsing views or sharing personal information online that can potentially undermine judicial independence, integrity, propriety, impartiality, the right to a fair trial, or public confidence in the judiciary or other branches of government. The same principle applies to judicial officers regardless of whether or not they disclose their real names or judicial status on social media platforms;
- (v) not engage in exchanges over social media sites or messaging services with parties, their representatives, or the general public about cases before or likely to come before them for decision;
- (vi) be circumspect in tone and language and be professional and prudent in respect of all interactions on all social media platforms;
- (vii) treat others with dignity and respect and not use social media to trivialize the concerns of others or make remarks that discriminate on any prohibited ground; and
- (viii) not use his or her social media accounts to directly or indirectly advance his or her own or a third party's financial or commercial interest.

### **Confidential information**

- 1.20 Confidential information acquired by a judge in the judge's judicial capacity shall not be used or disclosed by the judge in financial dealings or for any other purpose not related to the judge's judicial duties.

### **Practice of Law**

- 1.21 A judge shall not practise law whilst the holder of judicial office in Belize. Notwithstanding this prohibition, a judge may act for himself/ herself in his/her personal affairs. The judge may, without compensation give legal advice to, draft, or review documents for a member of his or her family.

A retired judge after ceasing to hold permanent office in Belize shall not:

- (i) appear as an advocate or participate in the actual conduct of any proceeding whether associate counsel or counsel on record;
- (ii) submit an expert opinion or appear as an expert, or
- (iii) submit any written submissions in any litigation in any court within Belize before the expiration of two years from the date of demitting office. However, the judge is not otherwise precluded from giving opinions and doing non-contentious work.

### **Protection of Judicial Independence**

- 1.22 A judge may form or join associations of judges or participate in other organizations representing the interests of judges to promote professional training and to protect judicial independence.

### **Financial/Fiduciary Activities**

- 1.23 A judge and members of the judge's family shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties.
- 1.24 A judicial officer shall not knowingly permit court staff or others subject to his or her influence, direction or authority, to ask for, or accept any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done in connection with his or her duties or functions.
- 1.25 A judge may receive compensation and reimbursement of expenses for the extra-judicial activities permitted by this Code, if such payments do not give the appearance of influencing the judge in the performance of judicial duties or otherwise give the appearance of impropriety.
- 1.26 A judicial officer shall not engage in financial and/or business dealing that:
- (i) may tend to be reasonably perceived to exploit his or her judicial position; or

- (ii) tend to reflect adversely on partiality; or
- (iii) involve the judicial officer in frequent transactions or continuing business relationships with lawyers or other persons likely to come before the court in which the judicial officer serves.

1.27 A judicial officer shall not serve as an officer, director, partner, adviser, employee or other active participant in any commercial enterprise other than a commercial enterprise controlled by the judicial officer's immediate family.

1.28 A judicial officer shall manage the judicial officer's investments and other financial interests in such a manner as to minimize the number of cases in which the judicial officer is disqualified. As soon as the judicial officer can do so without serious financial detriment, he or she should divest himself or herself of investments or other financial interests that might require frequent disqualification.

1.29 A judicial officer shall not accept, and shall require members of his or her family and household not to accept, a gift, bequest, favour or loan from anyone except:

- (i) a gift incidental to a public testimonial, books, recordings and other resource materials supplied by publishers on a complimentary basis for official use, or an invitation to the judicial officer to attend a Bar-related function or an activity devoted to the improvement of the law, the legal system or the administration of justice;
- (ii) a gift, award or benefit incident to the business, profession or other separate activity;
- (iii) ordinary social hospitality;
- (iv) a gift from a relative or friend for a special occasion such as a wedding, anniversary or birthday, if the gift is commensurate with the occasion and the relationship;

- (v) a gift, bequest, favour or loan from a relative or close personal friend whose appearance or interest in a case would in any event require disqualification;
- (vi) a loan from a commercial lending institution in the ordinary course of business on the same terms generally available to persons who are not judicial officers;
- (vii) a scholarship or fellowship awarded on the same terms and based on the same criteria applied to other applicants; or
- (viii) any other gift, bequest, favour or loan only if the donor is not a party or other person whose interests have come or are likely to come before the judicial officer.

1.30 Information acquired by a judicial officer confidentially in his or her judicial capacity shall not be used or disclosed by the judicial officer in financial dealings or for any other purpose not relevant to his or her judicial duties.

1.31 A judicial officer shall not serve as executor, administrator or other personal representative, trustee, guardian, attorney, or other fiduciary except for the estate, trust, or person of a member of his or her family or a person not a member of the judicial officer's family with whom he or she had maintained a longstanding personal relationship of trust and confidence, and then only if such service will not interfere with the proper performance of judicial duties.

1.32 The same restrictions on financial activities that apply to a judicial officer personally shall also apply to the judicial officer while acting in a fiduciary capacity.

#### **Participation in Alternative Dispute Resolution**

1.33 The judicial officer shall not act as an arbitrator, mediator, or conciliator, or otherwise perform judicial functions in a private capacity unless expressly authorized by law or by the Honourable Chief Justice.

### **Memberships in Civic and Charitable Organisations**

- 1.34 A judicial officer shall refrain from conduct such as membership of groups or organizations or participation in public discussion which, in the mind of a reasonable, fair-minded, and informed person might undermine confidence in his or her ability to be impartial.
- 1.35 A judicial officer may however be a member or serve as an officer, director, trustee, or non-legal advisor of an educational, religious, charitable, fraternal, or civil organization not conducted for economic or political advantage, subject to but not limited to the following prohibitions:
- 1.35.1 A judicial officer shall not serve as an officer, director, trustee or non-legal advisor if it is likely that such organization will be engaged in proceedings that would ordinarily come before him or her or will regularly engage in litigation in any court;
- 1.35.2 A judicial officer shall not solicit funds or actively engage in fundraising activities for any such organization, or use or permit the use of judicial office for that purpose, lest it be seen as inappropriate use of judicial prestige in support of the organization or creating a sense of obligation in donors but the judicial officer may assist such an organization in planning fundraising and may participate in the management and investment of the funds solicited by the organization;
- 1.35.3 A judicial officer shall be listed only by name and office or other positions held in the organization on the stationery of the organization;
- 1.35.4 A judicial officer shall not personally participate in membership solicitation of such organization if the solicitation might be perceived as coercive or is essentially a fundraising mechanism.

### **Governmental Activities**

- 1.36 A judicial officer shall not appear at a public hearing before an executive or legislative body or official except:

- a) on matters concerning the law, the legal system, the administration of justice or related matters with the concurrence of the Chief Justice, or in the case of the magistrate with the concurrence of the Chief Justice after consultation with the Chief/Senior Magistrate; or
- b) when acting in a personal capacity in a matter involving the judicial officer or his or her interests.

1.37 Except as is consistent with, or as provided for by the Constitution or any other law, and with the approval of the Chief Justice, a judicial officer shall not accept appointment to a governmental committee or commission of inquiry that is concerned with political matters or matters which may affect the public perception of the independence, impartiality, and integrity of the judiciary as a whole other than for the improvement of the law, the legal system or the administration of justice.

1.38 A judicial officer may be a member or serve as an officer, director, trustee or non-legal advisor of an organization or governmental agency devoted to the improvement of the law, the legal system or the administration of justice provided that such organisation or agency is not likely to be engaged in litigation before any court.

**Chambers, Resources or Staff**

1.39 A judicial officer shall not use judicial chambers, resources or court staff to engage in activities not permitted by this Code, except where such activities are related to judicial activities and not purely personal or non-judicial activities.

II.  
Value  
**INDEPENDENCE**

Principle:

**Judicial independence is a prerequisite to the rule of law and a fundamental guarantee of a fair trial. A judicial officer should therefore uphold and exemplify judicial independence in both its individual and institutional aspects.**

Code

- 2.1 A judge shall be independent in relation to society in general and in relation to the particular parties to a dispute to be adjudicated by the judge.
- 2.2 A judge shall exercise the judicial function independently on the basis of the judge's assessment of the facts and in accordance with a conscientious understanding of the law, free of any extraneous influences, inducements, pressures, threats or interference, direct or indirect, from any quarter or for any reason.
- 2.3 A judge shall reject any attempt to influence his or her decision in any matter before the judge where such attempt arises outside the proper performance of judicial duties.
- 2.4 A judge shall not only be free from inappropriate connections with, and influence by, the executive and legislative branches of government but must also appear to a reasonable observer to be free therefrom.
- 2.5 A judge must guard against being influenced by public opinion forcefully expressed in the media or otherwise.
- 2.6 A judicial officer shall apply the law as he or she understands it without fear or favour and without regard to whether or not the decision is popular.
- 2.7 In performing judicial duties, a judge shall, within the judge's own court, be independent of judicial colleagues in respect of decisions which the judge is obliged to make independently.



- 2.8 A judge shall encourage and uphold safeguards for the discharge of judicial duties in order to maintain and enhance the institutional and operational independence of the judiciary.
- 2.9 A judge shall exhibit and promote high standards of judicial conduct in order to reinforce public confidence which is fundamental to the maintenance of judicial independence.
- 2.10 A judicial officer shall always take care that his or her conduct, official or private, does not undermine his or her institutional or individual independence, or the public appearance of independence.
- 2.11 A judicial officer shall take care that communications with litigants, politicians, officials and other persons do not raise reasonable concerns about his or her independence.
- 2.12 In the event that a Judge is required to promote public understanding of the work and decisions of the Court, the judge must show appropriate caution and restraint when explaining or commenting publicly upon decisions in individual cases.
- 2.13 A judicial officer should take advantage of appropriate opportunities to help the public understand the fundamental importance of judicial functions and judicial independence.

#### **Threats to Independence in Discharge of Judicial Duties**

- 2.14 A judicial officer should be vigilant with respect to any attempts to undermine and should be a staunch defender of his or her own institutional and operational independence.
- 2.15 A judicial officer who becomes aware of unlawful or improper conduct in connection with the discharge of judicial duties will have to consider whether that conduct should be reported to the Chief Justice, or in the case of the magistrate to the Chief/Senior Magistrate, and whether it should be disclosed publicly by making a statement in open court or in some other way which is consistent with this Code.

#### **Constitutional Independence**

- 2.16 A judicial officer shall be and be seen to be independent of the legislative and executive branches of government.

## **Public Education**

- 2.17 A judicial officer should take advantage of appropriate opportunities to help the public understand the fundamental importance of judicial independence in view of the public's own interest.

III.  
Value  
**INTEGRITY**

Principle:

**Integrity, Honesty, Morality and Honour are essential to the proper discharge of the judicial office, and in maintaining public trust and confidence in the judiciary.**

Code

- 3.1 A judicial officer shall ensure that his or her conduct is above reproach in the view of reasonable, fair-minded and informed persons.
- 3.2 The behaviour and conduct of a judicial officer must reaffirm the people's faith in the integrity of the judiciary. Justice must not merely be done but must also be seen to be done.
- 3.3 A judicial officer in addition to personally observing the standards of this Code, shall encourage and support their observance by judicial colleagues and all persons charged with the administration of justice.
- 3.4 A judge shall only engage in extrajudicial activities that are honourable, beyond reproach, consistent with the ideals of this Code, and do not detract from the dignity of the judicial office.
- 3.5 A judge shall in all conduct be honest and demonstrate the highest respect for the law and shall encourage others to do so.

IV.  
Value  
**IMPARTIALITY**

Principle:

**Impartiality is essential to the proper discharge of the judicial office. It applies not only to the making of a decision itself but also to the process by which the decision is made.**

Code

- 4.1 A judge shall perform his or her judicial duties without favour, bias, or prejudice. A judge shall not be swayed by partisan interests, public clamour, or fear of criticism; be patient, dignified, respectful, and courteous to all those who appear before him or her in an official capacity;
- 4.2 A judge shall ensure that his or her conduct, both in and out of court, maintains and enhances the confidence of the public, the legal profession, and litigants in the impartiality of the judge and the judiciary.
- 4.3 A judge shall, so far as is reasonable, conduct himself or herself so as to minimize the occasions on which it will be necessary for the judge to be disqualified from hearing, ruling or adjudicating in a matter.
- 4.4 A judge shall not knowingly, while a proceeding is before, or could come before the judge, make any comment that might reasonably be viewed as likely to affect the outcome of such proceeding or impair the manifest fairness of the process. Nor shall the judge make any comment in public or otherwise that might affect the fair trial of any person or issue.
- 4.5 Except as set out below, a judicial officer shall not initiate, permit, or consider ex-parte communications or consider other communications concerning a pending or impending matter that are made outside the presence of the parties or their lawyers. If a judicial officer receives an unauthorized ex-parte communication bearing on the substance of a matter, the judicial officer should promptly notify the parties of the subject matter of the communication and allow the parties an opportunity to respond, if requested.

- 4.6 A judicial officer who is called upon to participate in the selection process for appointments should make any such decisions only on the basis of merit and avoiding favouritism.
- 4.7 A judicial officer shall refrain from conduct such as membership in groups or organizations or participation in public discussion which, in the mind of a reasonable, fair minded, and informed person, would undermine confidence in his or her impartiality with respect to issues that could come before the courts.
- 4.8 A judge should strive for transparency to avoid suspicion of corruption, nepotism, and favouritism, and should also encourage Court staff to assist in its promotion, so as to ensure public confidence in and respect for the role, functions, and operations of the Court.
- 4.9 A judicial officer shall hear and decide all matters assigned to him or her except where the judicial officer is disqualified from hearing and determining a matter according to the provisions of this Code.
- 4.10 A judge shall disqualify himself or herself in any proceedings in which there might be a reasonable perception of a lack of impartiality of the judge including, but not limited to, instances where:
- (i) the judge has actual bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceedings;
  - (ii) the judge previously served as a lawyer or was a material witness in the matter in controversy;
  - (iii) the judge was a partner or an associate having control over the matter in a firm or belonged to Chambers which acted for a party in the matter in controversy, during the period when the judge was still a partner or an associate of the said firm or a member of the said Chambers;

- (iv) the judge, or a member of the judge's family, has an economic interest in the outcome of the matter in controversy;
- (v) the judge's spouse is acting or has acted as an attorney-at-law in the proceedings;
- (vi) the judge knows that any member of his family is acting as an attorney-at-law in the proceedings;
- (vii) an attorney-at-law, who is a material witness, was an associate or partner of a firm or belonged to Chambers to which the judge was attached;
- (viii) the judge, either individually or as a fiduciary, or his spouse or minor child residing in his household has a financial interest in the subject matter in controversy or is a party to the proceedings that could be substantially affected by the outcome of the proceedings;
- (ix) the judge or his spouse or any person within the third degree of relationship to either of them or the spouse of that person is:
  - a. party to the proceedings, or an officer, director, or trustee of a party;
  - b. known by the judge to have an interest that could be substantially affected by the outcome of the proceedings;
  - c. to the judge's knowledge likely to be a material witness in the proceeding.

4.11 A judge who would otherwise be disqualified on the foregoing grounds may, instead of withdrawing from the proceedings, disclose on the record the basis of such disqualification. If, based on such disclosure, the parties, independently of the judge's participation, agree in writing or on the record, that the judge may participate, or continue to participate in the proceedings, the judge may do so.

- 4.12 A judge shall inform himself about the judge's personal and fiduciary financial interests and shall make reasonable efforts to be informed about the financial interests of members of the judge's family.
- 4.13 Disqualification of a judge is not required if necessity obliges the judge to decide the matter in controversy including where no other judge may lawfully do so or where, because of urgent circumstances, failure of the judge to participate might lead to a serious miscarriage of justice. In such cases of necessity, the judge shall still be obliged to disclose to the parties in a timely way any cause of disqualification and ensure that such disclosure is included in the record.
- 4.14 Save for the foregoing, a judge has a duty to perform the functions of the judicial office and litigants do not have a right to choose a judge.
- 4.15 A judicial officer who would otherwise be disqualified on the foregoing grounds may, instead of withdrawing from the proceedings, disclose on the record the basis of such disqualification. If, based on such disclosure, the parties, independently of the judicial officer's participation, agree in writing or on the record that the judicial officer may participate or continue to participate in the proceedings, the judicial officer may do so.

V.  
Value  
**EQUALITY**

Principle:

**Ensuring equality of treatment to all before the courts is essential to the due performance of the judicial office.**

Code

- 5.1 A judge shall strive to be aware of and to understand, diversity in society and differences arising from various sources, including but not limited to race, colour, sex, religion, national origin, caste, disability, age, marital status, sexual orientation, social and economic status and other like causes: (“irrelevant grounds”).
- 5.2 A judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice towards any person or group on irrelevant grounds.
- 5.3 A judge shall carry out his or her duties with appropriate consideration for all persons (for example, parties, witnesses, lawyers, court staff and judicial colleagues) without unjust differentiation on any irrelevant ground, immaterial to the proper performance of such duties.
- 5.4 A judge shall not knowingly permit court staff or others subject to the judge’s influence, direction or control to differentiate between persons concerned, in a matter which is before the judge, on any irrelevant ground.
- 5.5 A judge shall require lawyers in proceedings before a court to refrain from manifesting, by words or conduct, bias or prejudice based on irrelevant grounds. This requirement does not preclude legitimate advocacy where any such grounds are legally relevant to an issue in the proceedings.
- 5.6 A judge shall not be a member of, nor associated with, any society or organisation that practises unjust discrimination or is reasonably perceived as practising unjust discrimination on the basis of any irrelevant ground.



- 5.7 A Judge shall not engage in independent, personal investigation of the facts of a case without:
- (a) Authority of law;
  - (b) Notice to the parties;
  - (c) Consent of the parties; and
  - (d) An opportunity for the parties to respond.
- 5.8 A Judge shall not communicate with any party to proceedings in the Judge's court concerning such proceedings without:
- (a) Authority of law;
  - (b) Notice to the parties;
  - (c) Consent of the parties; and
  - (d) An opportunity for the parties to respond.
- 5.9 Judges must be aware that discrimination on irrelevant considerations could be perpetuated in subtle and unintentional ways. A judge must, therefore, be astute to take proactive measures to promote substantial equality and to proscribe such discrimination whether perpetuated by lawyers, litigants or court staff.

VI.  
Value  
**COMPETENCE AND DILIGENCE**

Principle:

**Competence and diligence are prerequisites to the due performance of judicial office.**

Code

- 6.1 The judicial duties of a judge take precedence over all other activities.
- 6.2 A judge shall devote his or her professional activity to diligently performing their judicial duties. Such duties are broadly defined and include not only the adjudicative function but other judicial and administrative tasks essential to the proper operation of the courts.
- 6.3 A judge shall take reasonable steps to maintain and enhance the judge's knowledge, skills and personal qualities necessary for the proper performance of judicial duties.
- 6.4 A judge shall maintain professional competence in law and has a duty to:
  - (i) keep himself or herself informed about relevant developments of international law, including international conventions and other instruments establishing human rights norms; and
  - (ii) within any applicable limits of constitutional or other law, conform to such norms as far as is feasible.

For this purpose, a judge should take advantage of the training and other facilities which should be made available, under judicial control to judges.

- 6.5 A judge shall perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly and with reasonable promptness, in accordance with any time standards set by legislation and case management rules
- 6.6 Training should be held at intervals to address issues of judicial well-being.

- 6.7 A judge shall maintain order and decorum in all proceedings in which the judge is involved. He or she shall be patient, dignified, and courteous in relation to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity. The judge shall require similar conduct of legal representatives, court staff, and others subject to the judge's influence, direction, or control. Where a Judge considers that an attorney-at-law may be guilty of professional misconduct, the judge shall, unless he or she takes some other course of action, cause the registrar to report the matter to the General Legal Council.
- 6.8 A judge shall not engage in conduct incompatible with the diligent discharge of judicial duties.
- 6.9 A judge shall not be swayed by partisan interests, public clamour, or fear of public criticism, in arriving at decisions.
- 6.10 A judge shall contribute to the improved development of the law and administration of justice.
- 6.11 A judge should avoid public comment on the merits of a pending or impending action and shall encourage similar abstention on the part of the court staff.
- 6.12 A judge shall abstain from publicly defending his decisions or judgments once given.
- 6.13 A judge shall encourage court staff and other persons under his influence, direction or control to observe the standards of fidelity and diligence.

VII.  
Value  
**IMPLEMENTATION AND ACCOUNTABILITY**

Principle:

**Implementing these principles and ensuring the compliance of judges with them are essential to the effective achievement of the objectives of this Code consonant with judicial independence and propriety.**

Code

- 7.1 Institutions and procedures for the implementation of this Code shall provide a publicly credible means of considering and determining complaints against judges without eroding the essential principle of judicial independence.
- 7.2 By the nature of the judicial office, judges are not, except in accordance with law, accountable to any organ or entity of the state for their judicial decisions but they are accountable for their conduct to institutions that are established to implement this Code.
- 7.3 The institutions and procedures established to implement this Code shall be transparent so as to strengthen public confidence in the judiciary and thereby reinforce judicial independence.
- 7.4 Ordinarily, except in serious cases that may warrant the removal of the judge from office, proceedings established to implement this Code shall be conducted in confidence.
- 7.5 The implementation of this Code shall take into account the legitimate needs of a judge, by reason of the nature of the judicial office, to be afforded protection from vexatious or unsubstantiated accusations and due process of law in the resolution of complaints against the judge.
- 7.6 The judiciary and any institution established to implement this Code shall promote awareness of these principles and the provisions of the Code.

7.7 The institutions established by the Belize Constitution shall bear the foregoing in mind in the implementation of this Code.