



**CALIFORNIA SUPREME COURT
COMMITTEE ON JUDICIAL ETHICS OPINIONS**

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CJEO *Draft* Formal Opinion 2026-031

**DISCLOSURE AND DISQUALIFICATION CONSIDERATIONS REGARDING
FORMER JUDICIAL MENTEES IN THE CALIFORNIA JUDICIAL MENTOR
PROGRAM**

Public Comments Submitted with a Waiver of Confidentiality

Comments from members of the public submitted in response to an Invitation to Comment on a CJEO Draft Formal Opinion are confidential communications to the committee that may not be disclosed unless confidentiality is affirmatively waived (Cal. Rules of Court, rule 9.80(h)(3); Cal. Com. Jud. Ethics Opns., rule 5(b)(1), (e)).

The following comments received by the committee on CJEO Draft Formal Opinion 2025-030 were submitted with a statement waiving confidentiality or consenting to disclosure.

Comment No. 1**Submitted by:** Fredis Palencia**To:** Judicial Ethics**Received on:** November 28, 2025**Not confidential pursuant to California Rules of Court, rule 9.80(h)(4).**

A judge should not be assigned any assignment when prior affiliation exists within the last ten years to avoid any conflict of integrity. A judge should not have any grounds to request that the judge's prior employment records be presented if not necessary to raise the allegations and the judge should not challenge on the grounds that such records be presented. The people should not have to investigate into a judge's past to determine whether they are getting a fair hearing. The presiding justice should be able to hear all matters regarding [the Code of Civil Procedure (CCP) section] 170. A judge cannot see bias from his point of view being the accused unless you see yourself unfit. Oral motions can be determined by the sitting judge and written motions regarding all [CCP] § 170 should be automatically forwarded to the presiding judge for review.

Fredis Palencia

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Comment No. 2**Submitted by:** Judge Rita Federman, Presiding Judge**On behalf of:** San Luis Obispo County Superior Court**To:** Judicial Ethics**Received on:** December 31, 2025**Confidentiality waived.**

Dear Ms. Caballero:

I would like to acknowledge the work of the Committee in drafting a thoughtful and detailed analysis of the questions presented.

I serve as the Chair of the Judicial Mentor Program in a smaller sized county of 13 judges. Over time, we have experienced significant challenges when a judge has concluded a mentorship and later is assigned to a courtroom where the former mentee regularly appears. The existing ethics opinion, CJEO Expedited Opinion 2022-045, appears to require continuing the disqualification even after the mentorship ends. This ongoing duty has created challenges in assigning mentees under our local program due to our competing obligations under Canon 4A.

Draft Opinion 2025-031 will clarify the mentor judge's obligations and enhance the continuing viability of the mentorship program. I support its implementation in whole without any modification.

Sincerely,

Rita Federman
Presiding Judge of the Superior Court
County of San Luis Obispo