

State Judicial Codes That Prohibit Discrimination Based on Sexual Orientation and/or Gender Identity

The following provides information about anti-discrimination provisions found in state judicial codes of conduct and rules of professional conduct governing attorneys. We looked at (a) prohibitions against discrimination based on sexual orientation and (b) prohibitions against discrimination based on gender identity.

Alabama: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

Alaska: The code of judicial conduct contains provisions stating that judges, in performing their judicial duties, shall not act with bias or prejudice, or manifest bias or prejudice through words or conduct, based on sexual orientation. Judges are also instructed to require attorneys appearing before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. <http://www.state.ak.us/courts/cjc.htm#3>

The attorney rules of professional conduct contain no provisions concerning discrimination based on sexual orientation or gender identity.

Arizona: The code of judicial conduct provides that judges, in performing their judicial duties, shall not act with bias or prejudice, or manifest bias or prejudice through words or conduct, based on sexual orientation. http://www.supreme.state.az.us/ethics/Code_of_Judicial_Conduct_June_2004.pdf

The attorney rules of professional conduct prohibit lawyers from knowingly manifesting bias or prejudice based on sexual orientation in the course of representing a client. <http://www.supreme.state.az.us/media/pdf/test%20ule%2042%20%2043.pdf> The rules of professional conduct also prohibit lawyers from knowingly manifesting, by words or conduct, bias or prejudice based on gender identity. <http://www.supreme.state.az.us/media/pdf/test%20ule%2042%20%2043.pdf> Arizona is the only state with rules of professional conduct addressing discrimination based on gender identity.

Arkansas: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

California: With some exceptions (e.g. Boy Scouts, military, churches), the code of judicial conduct prohibits judges from holding membership in organizations that practice “invidious discrimination” based on sexual orientation. The code also states that judges, in performing judicial duties, shall not engage in speech or conduct that would be reasonably perceived as biased or prejudiced based on sexual orientation. Judges are to require staff, court personnel and lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. <http://www.courtinfo.ca.gov/rules/appendix/appdiv2.pdf>

The attorney rules of professional conduct prohibit lawyers, in the management or operation of a law practice, from discriminating or knowingly permitting discrimination based on sexual orientation in (1) hiring, promoting, discharging or otherwise determining conditions of employment, or (2) accepting or terminating representation of a client.

Colorado: The code of judicial conduct prohibits judges, in performing their judicial duties, from manifesting bias or prejudice, by words or conduct, based on sexual orientation. Judges also may not permit staff, court officials or others subject to their direction and control to do so. Judges must “attempt” to ensure that lawyers in proceedings before them refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. <http://www.courts.state.co.us/exec/pubed/canons.htm>

The attorney rules of professional conduct state that lawyers shall not, in representing a client, engage in conduct that exhibits or is intended to appeal to or engender bias based on sexual orientation. http://www.coloradosupremecourt.com/Regulation/Rules/Appendix_20.htm

Connecticut: The code of judicial conduct prohibits judges, in the performance of their judicial duties, from manifesting bias or prejudice, by words or conduct, based on sexual orientation. Judges must require lawyers in proceedings before them from manifesting, by words or conduct, bias or prejudice based on sexual orientation.–

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Delaware: The code of judicial conduct states that judges have a duty to be respectful of others, including by avoiding conduct that could reasonably be interpreted as manifesting prejudice or bias based on sexual orientation. <http://courts.delaware.gov/Rules/?dejudicial.pdf>

The attorney rules of professional conduct prohibit attorneys from, in the course of representing a client, knowingly manifesting, by words or conduct, bias or prejudice based on sexual orientation when such actions are prejudicial to the administration of justice. <http://courts.delaware.gov/Rules/?FinalDLRPCclean.pdf>

District of Columbia: The code of judicial conduct prohibits judges, in the performance of their judicial duties, from manifesting bias or prejudice, by words or conduct, based on sexual orientation. Judges shall not permit staff, court officials and others subject to their direction and control to do so. Judges shall require attorneys appearing before them to refrain from manifesting by words or conduct bias or prejudice based on sexual orientation. The code further states that expressions of bias or prejudice, including jokes or other remarks demeaning people based on sexual orientation, even those made outside the judge's judicial activities, may cast doubt on the judge's ability to act impartially.

The attorney rules of professional conduct prohibit attorneys from discriminating against any individual in conditions of employment based on sexual orientation. http://www.dcbarg.org/for_lawyers/ethics/legal_ethics/rules_of_professional_conduct/index.cfm

Florida: The code of judicial conduct provides that judges shall not, in performing their judicial duties, manifest bias or prejudice, by words or conduct, based on sexual orientation. Judges shall not permit staff, court officials or others subject to their direction and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. <http://www.floridasupremecourt.org/decisions/ethics/index.shtml>

The attorney rules of professional conduct provide that lawyers shall not knowingly, or through callous indifference, disparage, humiliate or discriminate against litigants, jurors, witnesses, court personnel or other lawyers based on sexual orientation.

Georgia: The code of judicial conduct states that judges shall not, in performing their judicial duties, manifest bias or prejudice, by words or conduct, based on sexual orientation. Judges shall not permit staff, court officials or others subject to their direction and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or

prejudice based on sexual orientation. http://www.gabar.org/handbook/georgia_code_of_judicial_conduct

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Hawaii: The code of judicial conduct states that judges shall not, in performing their judicial duties, manifest bias or prejudice, by words or conduct, based on sexual orientation. Judges shall not permit staff, court officials or others subject to their direction and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation. <http://www.state.hi.us/jud/ctrules/rcjc.htm>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Idaho: The code of judicial conduct does not contain any provisions concerning discrimination based on sexual orientation or gender identity.

The attorney rules of professional conduct provide that, in representing a client, a lawyer shall not engage in conduct intended to appeal to or engender bias against a person based on sexual orientation. Lawyers violate the rules of conduct when they knowingly manifest, by word or conduct, bias or prejudice based on sexual orientation. <http://www2.state.id.us/isb/rules/irpc.htm>

Illinois: The code of judicial conduct states that judges shall not, in performing their judicial duties, manifest bias or prejudice, by words or conduct, based on sexual orientation. Judges shall not permit staff, court officials or others subject to their direction and control to do so. Proceedings before a judge shall be conducted without any manifestation, by words or conduct, of prejudice based on sexual orientation. <http://www.iardc.org/rulesjudcode.html>

The attorney rules of professional conduct state that a lawyer shall not engage in adverse discriminatory treatment of litigants, jurors, witnesses, lawyers and others based on sexual orientation. A lawyer shall not violate laws prohibiting discrimination based on sexual orientation by conduct reflecting adversely on the lawyer's fitness as a lawyer. <http://www.iardc.org/rulesprofconduct.html>

Indiana: The code of judicial conduct states that judges shall not, in performing their judicial duties, manifest bias or prejudice, by words or conduct, based on sexual orientation. Judges shall not permit staff, court officials or others subject to their direction and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation. http://www.in.gov/judiciary/rules/jud_conduct/index.html

The attorney rules of professional conduct state that it is professional misconduct for a lawyer to engage in conduct, in a professional capacity, manifesting, by words or conduct, bias or prejudice based on sexual orientation. http://www.in.gov/judiciary/rules/prof_conduct/index.html

Iowa: The code of judicial conduct does not contain any provisions concerning discrimination based on sexual orientation or gender identity.

The attorney rules of professional conduct state that a lawyer who, in the course of representing a client, knowingly manifests by words or conduct, bias or prejudice based on sexual orientation, violates the rules of conduct. <http://www.judicial.state.ia.us/rules/amendments/lowa%20Rules%20of%20Professional%20Conduct%20%20>

Kansas: The code of judicial conduct states that judges shall not engage in speech or conduct that could be reasonably perceived as harassment based on sexual orientation and shall require the same standard of conduct of others subject to the judge's direction and control. Judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.<http://www.kscourts.org/ctruls/judruls.htm>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Kentucky: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges shall also require staff, court officials and others subject to their direction and control to refrain from manifesting bias or prejudice (though bias based on sexual orientation is not specified) in the performance of their official duties. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.<http://www.kyrules.west.thomson.com/Find/Default.wl?DocName=KYSTRSCTR4%2E300&FindType=W&DB=K&-TOC-WEB%3BSTAKYTOC&RS=WLW2%2E07&VR=2%2EO>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Louisiana: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

Maine: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges shall also require staff, court officials and others subject to their direction and control to refrain from manifesting bias or prejudice (though bias based on sexual orientation is not specified) in the performance of their official duties.http://www.courts.state.me.us/rules_forms_fees/rules/JudCondCode7-05.htm

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Maryland: The code of judicial conduct states that judges perform their duties without having or manifesting any bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.http://198.187.128.12/maryland/lpext.dll/Infobase1/21/21dd/274a/2889?f=templates&fn=document-frame.htm&2.0#JD_mr-16-813

The attorney rules of professional conduct provide that it is professional misconduct for a lawyer to knowingly manifest by words or conduct when acting in a professional capacity bias or prejudice based on sexual orientation.http://www.law.cornell.edu/ethics/md/code/MD_CODE.HTM#Preamble

Massachusetts: The code of judicial conduct states that judges shall not hold membership in organizations that practice “invidious discrimination” based on sexual orientation (with exceptions for U.S. military organizations, religious organizations and “intimate, purely private organizations”). Further, judges shall not arrange meetings at or regularly use clubs that the judge knows or should know practices invidious discrimination based on sexual orientation. Judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.<http://www.mass.gov/courts/courtsandjudges/courts/supremejudicialcourt/cje/rule309eff100103.pdf>

The attorney rules of professional conduct provide that lawyers appearing in a professional capacity before a tribunal shall not engage in conduct manifesting bias or prejudice based on sexual orientation against a party, witness, counsel or other person.<http://www.mass.gov/obcbbbo/rpcnet.htm>

Michigan: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

Minnesota: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges shall also require staff, court officials and others subject to their direction and control to refrain from manifesting bias or prejudice (though bias based on sexual orientation is not specified) in the performance of their official duties.<http://www.state.mn.us/ebranch/judstnds/canon2.html>

It is professional misconduct for an attorney to harass a person based on sexual preference in connection with the attorney's professional activities. Harassment based on sexual orientation also violates the rules of professional conduct if such harassment is prohibited by anti-discrimination law and reflects adversely on an attorney's fitness as an attorney.<http://www.courts.state.mn.us/lprb/conduct.html>

Mississippi: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to their direction and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.<http://www.mssc.state.ms.us/rules/RuleContents.asp?IDNum=11>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Missouri: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation.<http://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/c0c6ffa99df4993f86256ba50057dcb8/be48019f16497ddf86256ca600521208?OpenDocument>

It is professional misconduct for an attorney to engage in conduct, in a professional capacity, manifesting, by words or conduct, bias or prejudice based on sexual orientation.

<http://www.courts.mo.gov/sup/index.nsf/da0f8eb4e845dc6d86256c0e00759846/3608230ed5cbe92786256f0b0062df37?OpenDocument>

Montana: Neither the canons of judicial ethics nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

Nebraska: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation. http://court.nol.org/rules/Judcon_30.htm

A lawyer shall not engage in conduct connected with the practice of law that knowingly, or through callous indifference, disparages, humiliates or discriminates against litigants, jurors, witnesses, court personnel or other lawyers based on sexual orientation. <http://court.nol.org/rules/RulesProfConduct34.htm>

Nevada: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation. http://www.leg.state.nv.us/CourtRules/SCR_CJC.html

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

New Hampshire: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation. <http://www.courts.state.nh.us/rules/scr/scr-38.htm>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

New Jersey: Judges should not discriminate because of sexual orientation. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation. http://www.judiciary.state.nj.us/rules/appendices/app1_jud.htm

It is professional misconduct for an attorney, in a professional capacity, to engage in discrimination because of sexual orientation where the conduct is intended or likely to do harm (exception: employment discrimination not resulting in a final agency or judicial determination) <http://www.judiciary.state.nj.us/rules/apprpc.htm>

New Mexico: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct,

bias or prejudice based on sexual orientation.http://jec.unm.edu/training/statutes/21_100.htm

In the courts of any judicial or quasi-judicial proceeding, attorneys shall refrain from intentionally manifesting, through words or conduct, bias or prejudice based on sexual orientation against the judge, court personnel, parties, witnesses, counsel or others.

<http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-hit-h.htm&2.0>

New York: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. A judge shall not hold membership in any organization that practices "invidious discrimination" based on sexual orientation (exceptions for membership in organizations "dedicated to the preservation of religious, ethnic, cultural or other values of legitimate common interest to its members"). Commentary states that judges would also violate code of judicial conduct by arranging a meeting at a club the judge knows to practice invidious discrimination based on sexual orientation, or for the judge to regularly use such a club. Commentary also suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual

orientation.http://www.nysba.org/Content/NavigationMenu/Attorney_Resources/Ethics_Opinions/Code_of_Judicial_Conduct/Code_of_Judicial_Conduct.htm

Lawyers and law firms shall not unlawfully discriminate in the practice of law, including in hiring, promoting or otherwise determining conditions of employment on the basis of sexual

orientation.http://www.law.cornell.edu/ethics/ny/code/NY_CODE.HTM#1-102

North Carolina: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

North Dakota: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so.

Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.<http://www.ndcourts.com/search/judicialmain.asp>

It is professional misconduct for attorneys to knowingly manifest, through words or conduct in the course of representing a client, bias or prejudice based on sexual

orientation.<http://www.ndcourts.com/rules/conduct/contents.htm>

Ohio: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation. During any campaign for nomination or election to judicial office, candidates shall not, knowingly or with reckless disregard, manifest bias or prejudice toward an opponent based on sexual orientation, or permit members of his or her campaign committee or others subject to their direction or control to do so.<http://www.sconet.state.oh.us/Rules/conduct/>

A lawyer shall not engage, in a professional capacity, in conduct involving discrimination based on sexual orientation that is prohibited by law.<http://www.sconet.state.oh.us/Rules/professional/>

Oklahoma: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others.<http://www.oscn.net/applications/OCISWeb/index.asp?level=1&ftdb=STOKST05>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Oregon: The code of judicial conduct provides that judges shall not hold membership in organizations known to be discriminatory, i.e. organizations that treat persons less favorably in granting membership privileges, allowing participation or providing services, on the basis of sexual orientation.<http://www.osbar.org/rulesregs/cjc.htm>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Pennsylvania: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

Rhode Island: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others.<http://www.courts.state.ri.us/supreme/jtd/code.pdf>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

South Carolina: The code of judicial conduct does not contain any provisions concerning discrimination based on sexual orientation or gender identity.

A lawyer who, in the course of representing a client, knowingly manifests by words or conduct, bias or prejudice based on sexual orientation, violates the rules of professional conduct when such actions are "prejudicial to the administration of justice."<http://www.judicial.state.sc.us/courtReg/newrules/NewRules.cfm>

South Dakota: Neither the judicial code of conduct nor the attorney rules of professional conduct contain provisions concerning discrimination based on sexual orientation or gender identity.

Tennessee: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.http://www.tncourts.gov/OPINIONS/TSC/RULES/TNRulesOfCourt/06SUPCT10_24.htm

Commentary suggests that a lawyer who, in the course of representing a client, knowingly manifests, by words or by conduct, bias or prejudice based on sexual orientation may violate the rules of professional conduct if such actions are prejudicial to the administration of

justice.<http://www.tba.org/ethics2002.html>

Texas: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not knowingly permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others.http://www.scjc.state.tx.us/texcode_txt.php

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Utah: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall use all reasonable efforts to deter staff, court officials and others subject to the judge's discretion and control from doing so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others.<http://www.utcourts.gov/resources/rules/ucja/index.htm#Chapter%2012>

Commentary states that an attorney who, in the course of representing a client, knowingly manifests by words or conduct bias or prejudice based on sexual orientation violates the rules of professional conduct.<http://www.utcourts.gov/resources/rules/ucja/index.htm#Chapter%2012>

Vermont: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require lawyers in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others. Judges shall not hold membership in organizations that practice "invidious discrimination" on the basis of sexual orientation.<http://www.vermontjudiciary.org/rules/judconduct.htm>

It is professional misconduct for an attorney to discriminate based on sexual orientation in hiring, promoting or otherwise determining conditions of employment.<http://www.brandsystems.net/vtbar/pdffiles/Vermontrulesofprofessionalconduct.pdf>

Virginia: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require all persons appearing in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.http://www.courts.state.va.us/jirc/canons_112398.html

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Washington: The code of judicial conduct does not contain any provisions concerning discrimination based on sexual orientation or gender identity.

It is professional misconduct for an attorney to commit a discriminatory act prohibited by state law on the basis of sexual orientation where the act is committed in connection with the attorney's professional activities. It is also professional misconduct for an attorney to commit a discriminatory act on the basis of sexual orientation if such an act would violate the rules of professional conduct

when committed based on age, race, sex, creed, religion, color, national origin, marital status or disability. It is professional misconduct for an attorney to engage in conduct toward judges, other parties and/or their counsel, jurors, witnesses and/or their counsel or court personnel or officers that is prejudicial to the administration of justice and that a reasonable person would interpret as manifesting prejudice or bias based on sexual orientation.http://www.courts.wa.gov/court_rules/?fa=court_rules.list&group=ga&set=RPC

West Virginia: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require all persons appearing in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others.<http://www.state.wv.us/wvsca/JIC/codejc.htm>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Wisconsin: The code of judicial conduct states that judges may not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and may not knowingly permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require all persons appearing in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others.<http://www.courts.state.wi.us/sc/scrule/DisplayDocument.html?content=html&seqNo=1070>

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.

Wyoming: The code of judicial conduct states that judges shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based on sexual orientation, and shall not permit staff, court officials and others subject to the judge's discretion and control to do so. Judges shall require all persons appearing in proceedings before them to refrain from manifesting, by words or conduct, bias or prejudice based on sexual orientation against parties, witnesses, counsel or others. Commentary suggests that judges are not to express bias or prejudice, even outside of their judicial activities, including by making jokes or demeaning remarks on the basis of sexual orientation.http://courts.state.wy.us/RULES/30Wyoming_Code_of_Judicial_Conduct.html

The attorney rules of professional conduct do not contain any provisions concerning discrimination based on sexual orientation or gender identity.