

This document is intended as a quick reference guide to help you find some potentially relevant opinions on various issues relating to winding down your law practice. Please do not rely exclusively on the digests below, as the full opinions typically contain additional explanations and guidance.

* Blue underlined numbers in the PDF are hyperlinks that should take you to the full opinion.

* Otherwise, to search for opinions, visit www.nycourts.gov/ip/acje and click on “Search Opinions” in the left-hand menu. Search tips are available online as well.

Part I addresses many general issues concerning winding down; Part II (starting on p. 10) focuses on disqualification issues for new full-time judges who were previously in private practice.

I. Winding Down - General

[21-17](#) Digest: Where a new full-time judge was previously a law firm partner and took a loan from the firm’s 401(k) profit sharing plan, the judge may remain in the plan temporarily in order to pay back the loan and receive the plan’s annual employer matching contribution based on the judge’s prior legal work and earnings. The judge must continue to disqualify from matters involving the former firm and the judge’s former partners and associates during this period and for two years after the financial relationship completely terminates.

[21-13](#) Digest: A new full-time judge may engage in activities designed to wind down their prior law practice and collect previously earned legal fees, including billing an assigned counsel program for services “as an attorney” and complying with the requirements of a state administrative agency to obtain payment on previously awarded legal fees.

20-204 This responds to your inquiry (20-204) about your obligations as you assume full-time judicial office.

1. Must you pay to have your name removed from the glass of the shared suite in which you previously practiced law? We believe you must arrange to have your name removed (see Opinion [89-136](#)). The question of who pays is a legal question, not a matter of ethics.

2. Assuming you may no longer serve as a notary public, is it sufficient, from an ethics perspective, to simply cease notarizing documents - or must you also give notice to the state about terminating your notary public status?¹ [FN1: You also note that you plan to discard your notary stamp and destroy your notary public card.] If your judicial position is subject to the constitutional prohibition on holding another public office or trust (see NY Const art VI § 20[b]), you “may not hold the public office of Notary Public” and therefore “may not, as such, notarize documents” (Opinion [03-129](#)). We note the provision at issue refers to a “judge of the court of appeals, justice of the supreme court, judge of the court of claims, judge of a county court, judge of the surrogate’s court, judge of the family court or judge of a court for the city of New York” (Opinion [13-111](#) fn 1, quoting NY Const art VI § 20[b]). The question about what steps, if any, a judge must take in order to relinquish the office of notary public (e.g. destroying or

discarding the notary stamp or card and/or providing formal notice to the state) is a legal question on which we cannot comment.

3. May you, after assuming full-time judicial office, collect a legal fee on a matter that is being handled by another attorney, where any legal fees are contingency-based and you are “expecting a fee once a settlement is reached”? Provided (a) your proposed share of the anticipated legal fees was fully earned before you assumed judicial office and (b) the fee arrangement is permissible under the Rules of Professional Conduct and governing law, you may accept payment of such legal fees, even if they are contingent and not payable for several years (see e.g. Opinion [19-148\(B\)](#)).

Finally, with respect to all three questions, while we cannot advise you on your legal obligations (see generally Judiciary Law § 212[2][l]; 22 NYCRR 101.1), we note that “a judge who makes a good-faith legal determination based on the apparently controlling statutes and case law (if any) is necessarily acting ethically” (Opinion 19-80 [citations omitted]).

[19-148\(B\)](#) Digest: (1) A judge may collect fees for legal work done before taking full-time judicial office, only if the fee arrangement is otherwise proper. [...]

[18-22](#) Digest: A new full-time judge who previously served as guardian ad litem in a federal case may (1) voluntarily provide a factual statement or affidavit about his/her former service as guardian ad litem; (2) respond to the federal judge’s questions about whether a new guardian ad litem should be appointed; and (3) appear pro se concerning his/her fees for work previously performed as guardian ad litem.

17-175 This responds to your inquiry (17-175) asking whether you have any further ethical obligations to a former client to whom you personally returned his/her trial file. You indicate that this former client wrote to you requesting his/her trial file within ten days or he/she would report you to the grievance committee. You responded in writing, explaining that you had already personally returned the file and, as a full-time judge, could no longer practice law or give legal advice. In the Committee’s view, no further action is warranted as you have already returned the file and so informed your former client in writing. Enclosed, for your convenience, is Opinion [00-77](#) which relates to this issue.

17-157 This responds to your inquiry (17-157) asking whether, upon being appointed to the bench full-time, you may finish up two civil litigation matters in connection with closing your private practice. In particular, you ask whether you may file a closing statement with OCA in one action and whether you may have releases signed and mailed; deposit the settlement check; distribute the client’s portion of the settlement proceeds; and file a closing statement in the other action. While a full-time judge may not practice law (see 22 NYCRR 100.4[G]), “the Committee has advised that a full-time judge may nonetheless complete certain functions after assuming judicial office if those functions are truly ministerial or administrative in nature and necessary to effectuate dissolution of the judge’s practice” (Opinion 15-128). The work you describe in connection with winding down your practice does not involve the practice of law but, rather, is strictly

ministerial and, therefore, ethically permissible. Enclosed, for your convenience, are Opinions [15-128](#) and [04-137](#) which address this issue.

- [17-33](#) This responds to your inquiry (17-33) asking whether you may, as a newly elected full-time judge, complete your service as executor of a former client's will by signing a deed necessary to transfer title to an heir. Although you had been appointed to this fiduciary position prior to taking the bench, you were unable to previously transfer title because the heir was a minor. [...] Although a full-time judge may not serve as executor or other fiduciary unless a specific exception applies (see 22 NYCRR 100.4(F), the Committee has advised that a full-time judge who had been serving as a fiduciary before he/she assumed the bench may perform purely ministerial acts as needed to close out his/her service, preferably within one year of assuming the bench. Thus, a full time judge who had served as executor of the estate of a family friend and whose fiduciary services had been completed before taking the bench may perform the ministerial task of signing a claim form related to recently discovered unclaimed funds (see Opinion 99-76). Similarly, here, as in Opinion [99-76](#), continuing service as executor does not involve the completion of unfinished legal work, which would be prohibited (see 22 NYCRR 100.4[G]). Rather, the remaining duties are limited in scope, involve a purely ministerial task, and will end upon transfer of the deed. [...]
- [16-164](#) Digest: A new full-time judge may continue to serve as a receiver in foreclosure pursuant to an appointment received before assuming the bench, provided his/her duties are ministerial in nature and completed within one year, if possible.
- [16-63](#) Digest: (1) A non-judge appointed to a judgeship is not subject to the Rules Governing Judicial Conduct until her/his term starts and he/she assumes judicial office by signing and filing the oath of office.
- [15-128](#) Digest: A full-time judge whose former law partner is temporarily unavailable for medical reasons may accept and deposit fees, issue checks to clients and the firm and pay expenses as necessary to wind up the law firm's affairs, until the partner recovers or new counsel is hired but may not use law firm letterhead after assuming judicial office.
- [15-126](#) Digest: (1) A full-time judge may accept compensation for legal or fiduciary services he/she performed before assuming the bench.
- [15-19](#) Digest: A full-time judge who asked his/her former law firm in writing to immediately remove the judge's name from the firm's signage, letterhead, and other materials need not take any further action.
- [15-01](#) Digest: A non-judge who is seeking election or appointment to judicial office may remain employed as a police officer until he/she takes and files his/her oath of office as a judge.
- [14-13](#) Digest: Under the unique facts presented, a judge who sold his/her former law office telephone number to an attorney for a lump sum must disclose the business transaction

when the purchasing attorney appears before the judge, for a one-year period following receipt of payment.

- 13-181 This responds to your inquiry (13-181) asking whether you may continue to receive health insurance benefits from your former employer to cover the gap in coverage before your new health benefits commence. You indicate that your former public sector employer will not appear before you. Accordingly, the Committee sees no ethical impropriety should you continue to receive health insurance benefits from your former employer for a short period of time until you begin to receive health insurance in your new position. Enclosed, for your convenience, is Opinion [04-137](#) which addresses this issue.
- [13-164](#) Digest: A newly elected full-time judge, who was involved in two final accountings as a court-appointed fiduciary before assuming the bench, may respond to requests from the appointing court for additional information or revisions and may contact the appointing court to determine the status of a previously requested order, but must complete his/her service or secure a substitute within one year after assuming the bench, if possible.
- 13-08 This responds to your inquiry (13-08) asking whether it is ethically permissible for you to be credited as an author of an appellate brief. You indicate that you represented the defendant just prior to assuming the bench and briefed six points raised on appeal before another attorney assumed the representation. Pursuant to the Rules Governing Judicial Conduct, a full-time judge is prohibited from practicing law (see 22 NYCRR 100.4[G]). The Committee has advised that a full-time judge may perform certain ministerial tasks with respect to fiduciary appointments held prior to taking judicial office (see Opinions [06-116](#); [03-37](#); [99-76](#)). However, the inclusion of your name on an appellate brief reflects your advocacy on behalf of a client which is prohibited by §100.4(G) of the Rules.
- 12-179 Excerpt: The Committee notes that the judge should, if applicable, comply with the provisions of 22 NYCRR §603.7 and/or 22 NYCRR §691.20 (retainer and closing statement filing requirements).
- [11-21](#) Digest: Under the circumstances presented, a recently-elected judge may accept a discretionary bonus paid by his/her law firm based on work actually performed by the judge before he/she assumed judicial office.
- 11-07 This responds to your inquiry (11-07) asking whether it is ethically permissible for you to execute a final accounting affidavit relating to work which you performed as a receiver prior to taking judicial office and whether you may seek a statutory commission for those services. This Committee has previously advised that it is ethically permissible for a judge who served as a fiduciary prior to taking judicial office to prepare and submit an application to be discharged together with a final accounting and to receive fees and disbursements for those services. The Committee has also cautioned that newly-elected judges should complete such services promptly. However, the information which has triggered the need for a final accounting has only recently been discovered. Moreover,

the particular circumstances which have given rise to the necessity of these additional services should not involve any further action by you. Accordingly, it is the Committee's view that it is ethically permissible for you to execute the final accounting affidavit and to seek and accept the statutory commission. Enclosed, for your convenience, are Opinions [10-47](#), [08-130](#), and [02-37](#) which address this issue.

[10-203\(B\)](#) Digest: (1) A judge may continue to serve as trustee of a trust that benefits the judge's first cousin.

10-183 This responds to your inquiry (10-183) asking whether you may complete your responsibilities as a referee in a foreclosure pursuant to an appointment made before you assumed the bench. Although a judge of the Unified Court System is not eligible for appointment as a referee (see, 22 NYCRR 36.2[c][1]), the Advisory Committee on Judicial Ethics previously has advised that it is not improper for a judge to continue to serve in a fiduciary capacity pursuant to a court appointment that was made prior to the judge assuming the bench (see Opinions [09-103](#), [08-130](#), [02-37](#)). Therefore you may complete your responsibilities as a referee in a foreclosure pursuant to an appointment made before you assumed the bench.

10-169 This responds to your inquiry (10-169) asking whether you may complete certain necessary tasks to terminate two conservatorships that you held before taking the bench. In one case, the final ex-parte order to discharge you as conservator and to cancel your bond was never filed and a nominal amount of money was never disbursed. In the other case, an affidavit of lateness was never filed and the matter is still pending. Also, a conservatorship account remains open with funds still on deposit. In Opinion 95-39 (Vol. XIII), the Committee advised that a newly elected full-time judge could continue to serve as conservator in a matter until a successor or interim conservator is appointed. The Committee further advised that because the judge did not expect a final accounting to be completed for filing for several months, the judge could continue to perform such essential functions as receiving income, reinvesting funds, paying bills and continuing the services of a retained certified social worker, as well as performing ministerial tasks (see id.). However, the Committee urged the judge to move promptly to secure a substitute conservator (see id.). And in Opinion 02-37, the Committee advised that a full-time judge could continue to serve as a guardian ad litem pursuant to an appointment made prior to his/her assuming the bench, but to complete such service within one year, if possible. Therefore, you may complete the necessary tasks to terminate the two conservatorships you held before taking the bench, but should do so expeditiously, but in any event, within the next year. I have enclosed Opinions [95-39](#) and [02-37](#) for your information.

10-139 This responds to your inquiry (10-139) asking whether you may continue to receive money from the ***** County Sheriff's Office regarding wage garnishments for certain clients. You advise that no further legal work is required and that you simply retain your fee and pay the balance to the client. While a full-time judge is prohibited from practicing law (see 22 NYCRR 100.4[G]), the Committee previously has advised that a full-time judge who practiced law until assuming judicial office may collect fees owed to him/her for

legal services he/she performed prior to assuming judicial office even if such fees are not payable for one or more years(see Opinions [95-12](#); [89-134](#)). The Committee also has advised that a judge may perform ministerial acts that are related to the judge's prior private law practice (see Opinions [06-57](#); [03-37](#)). Therefore, you may continue to receive money from the ***** County Sheriff's Office regarding wage garnishments for certain clients, retain your fee, and pay the balance to the client even if you will receive such money for one or more years. The Committee also suggests that you consult the Professional Conduct Rules for any provisions that address maintenance or dissolution of your lawyer's escrow account now that you no longer are engaged in the private practice of law.

[10-47](#) This responds to your inquiry (10-47) asking whether you may prepare and submit an application to be discharged from your duties as guardian for an incapacitated person together with the final accounting in a Supreme Court proceeding. You indicate that you were appointed to this position before you took judicial office on January 1, 2010. This Committee has previously advised that it is permissible for recently-elected judges to perform various functions and ministerial acts as court-appointed fiduciaries as long as those services are completed promptly and, to the extent possible, within their first year in office. Enclosed, for your convenience, are Opinions [02-37](#) and [95-39](#) which address this issue.

[06-116](#) Digest: A full-time judge who had been appointed a guardian ad litem before assuming judicial office may not complete work on settlement papers that was begun before the judge took office, where, under the circumstances presented, such work would constitute the practice of law.

[06-57](#) Digest: A full-time judge may complete the ministerial function of executing an application for a certificate of deposit necessary to effectuate the results of a determination made by the judge while serving as a referee before the judge assumed the bench.

[05-130\(A\)](#) Digest: A full-time judge must withdraw from client representation and cease accepting new clients before assuming office January 1 after the judge's November election. The professional corporation constituting the judge's solo law practice may remain in existence with the judge as shareholder, but solely for the purpose of winding up its affairs, including collecting fees, including contingency fees, sending periodic bills to former clients, maintaining an escrow account to process fees, and submitting final corporate income tax returns reflecting income earned before assuming office. The judge must dissolve the corporation as soon as practicable after assuming office and may not transact corporate business after December 31, except activities necessary for its dissolution. During that time, and notwithstanding consent, the judge may not preside over any matter in which the judge's former associates appear. [...]

- [04-137](#) Digest: (1) Prior to assuming office, a newly-elected judge must forward any money held in escrow on behalf of clients to the new attorneys who will represent those clients. (2) A judge may continue to process settlement checks from cases settled prior to the beginning of the judge's term of office but received after that time, and may sign a closing statement in such matters after assuming judicial office. (3) A judge may keep the judge's law firm open for two months after the judge assumes judicial office to avoid a lapse in health insurance coverage, but during that period is disqualified from presiding over any matter in which the judge's former partners appear even if all parties consent. (4) A judge assumes office upon taking and filing his/her oath of office. (5) A judge must arrange for new counsel to handle any outstanding motions scheduled to be heard after the judge assumes judicial office.
- [04-127](#) Digest: A judge may continue the judge's investment in a 401K Profit Sharing Plan that was offered by the judge's prior law firm and that is now managed by a successor law firm where the judge will not make additional contributions to the Plan; will have no involvement in managing the Plan; and will exercise recusal in any case where a party is represented by the law firm managing the Plan.
- [03-37](#) Digest: A full-time judge may perform the ministerial act of executing new documents to replace those the judge had signed as a referee in a mortgage foreclosure action prior to assuming the bench.
- [02-37](#) Digest: A judge may not accept an appointment to serve as a fiduciary, for compensation under Article 81 of the Mental Hygiene Law, but it would not be unethical to continue to serve in such capacity pursuant to a court appointment made prior to the judge assuming the bench.
- [00-77](#) Digest: A newly-appointed full-time judge may not practice law but may write to former clients to inform them that the law practice has been discontinued, and how they may retrieve their wills and other legal documents.
- [00-03](#) Digest: A newly-elected full-time judge may receive compensation for the equity value of the judge's share in a law partnership that is dissolving as a result of the judge's election, as determined in accordance with generally accepted accounting principles.
- [99-76](#) Digest: Under the circumstances presented, a full-time judge may perform certain ministerial tasks necessitated by the judge's status as executor of an estate that was completed before becoming a judge, without first seeking the approval of the Chief Administrative Judge.
- [98-92](#) Digest: An attorney whose nomination to the position of judge of the Court of Claims has been confirmed by the New York State Senate may continue to practice law until the oath of office is taken and filed pursuant to Public Officers Law §§10 and 30.
- [97-148](#) Digest: A full-time judge is not required to file a report under section 100.4(H) of the Rules Governing Judicial Conduct with respect to compensation received for legal

services rendered and real property conveyed prior to the judge's assuming judicial office.

- [97-29](#) The Advisory Committee on Judicial Ethics has considered your inquiry (97-29), concerning your proposal to write to the Surrogate's Court, informing it that you are now a full-time judge and that, as a full-time judge, you may not take any further action regarding an estate of a former client. Enclosed for your information is Opinion [90-86](#), in which this Committee concluded that a co-executor of a will, who becomes a full-time judge when administration of an estate has almost been concluded must, nonetheless, resign as co-executor. Given the restrictions on a full-time judge serving as a fiduciary set forth in section 100.4(E)(1) of the Rules Governing Judicial Conduct, the Committee concludes that it would not be improper for you to contact the Surrogate's Court for the purpose of notifying it that you are now a full-time judge and suggesting that it refer any further questions concerning the estate to your successor law firm.
- [97-09](#) Digest: A recently appointed full-time judge may remain a shareholder of the professional corporation under which the judge practiced law solely for the purpose of winding up the affairs of the professional corporation, which the judge must dissolve as soon as is practicable after assuming judicial office.
- [96-141](#) Digest: (1) A newly-elected judge, who had been serving as an Administrative Law judge for a governmental agency, may not, upon assuming judicial office, perform any further services in connection with any pending, uncompleted matters that were being handled as an Administrative Law judge. (2) A full-time judge may not practice law in New York or in any other jurisdiction. (3) A newly-elected full-time judge must terminate his/her law practice, including properly disposing of escrow accounts being held on behalf of clients. [...]
- [96-91](#) Digest: A newly appointed part-time City Court judge (1) is entitled to recover disbursements and share in legal fees for services rendered in a pending litigation commenced prior to assuming judicial office.
- [95-123](#) Digest: (2) Receipt of fixed severance payments from the judge's former law firm over a five year period is ethically permissible.
- [95-65](#) Digest: Compensation for legal services received by a full-time judge for services rendered prior to becoming a judge is not covered by Section [100.4(H)] of the Rules of the Chief Administrator.
- [95-39](#) Digest: A recently elected full-time judge who had been appointed as conservator for an incompetent, as a matter of necessity may continue to perform [ministerial] services until a successor or interim conservator is appointed, but must move promptly for the appointment of a substitute.
- [95-12](#) Digest: A full-time judge who took office on January 1, 1995, may supervise the winding up of the affairs of a prior law practice by, inter alia, sending periodic bills to former

clients and maintaining an escrow account for the processing of fees earned prior to January 1, 1995, but not currently payable.

- [94-18](#) Digest: A full-time judge may remain a shareholder of the professional corporation under which he/she practiced law, solely for the purpose of winding up its affairs.
- [93-84](#) Digest: Without the approval of the Chief Administrator of the Courts, a full-time judge may not serve as an executor of an estate of a non-relative or as a testamentary trustee for former clients.
- [93-44](#) Digest: A newly-elected judge may collect a percentage of a contingency fee awarded to the judge's former law partners for work performed prior to assuming office, provided the contingency fee arrangement is otherwise proper.
- [90-203](#) The Advisory Committee on Judicial Ethics, at its meeting of January 24, 1991, considered your inquiry (90-203) dated December 13, 1990, concerning the winding down of your legal practice upon your recent election as judge. You may continue to collect rent from attorneys to whom you lease office space, and may pay rent to your landlord until the lease expires in several months. However, if one of these lawyers appears before you, you must disclose your relationship, and may preside over the case only if all parties consent, on the record, to your participation. You also may collect fees for legal services which you rendered prior to assuming judicial office, and you may retain a paid staff in your office through April for billing purposes.
- [90-86](#) Digest: A co-executor under a will, who becomes a full-time judge when administration of the estate has almost been concluded, but has not yet been concluded, must resign as co-executor.
- [89-136](#) Digest: Prior to assuming judicial office, a [newly elected full-time] judge must terminate [his/her] law practice and remove [his/her] name from the masthead[.]
- [89-134](#) Digest: A newly-elected judge may collect legal fees earned prior to assuming the office, and may work out any fair arrangement with [his/her] former law firm to handle the bookkeeping expenses.
- [89-38](#) Digest: Full-time judge may not complete unfinished legal services performed for an estate before the judge assumed judicial office, although no court appearances are necessary and the remaining tasks are more ministerial than legal in nature.

II. Miscellaneous Disqualification Issues for New Judges

- [18-171](#) Digest: (1) Where a law firm is retained by a full-time judge's first-degree relative to wind up the affairs of their former joint law practice at the conclusion of a highly confidential representation that directly affected both their interests as former law partners: (a) The judge is disqualified, subject to remittal, in all matters involving this law firm during the pendency of the representation. (b) For the first two years after the representation completely terminates and all fees are paid: (i) the judge is disqualified, subject to remittal, from all matters involving attorneys who were personally involved in the representation and (ii) the judge must make full disclosure of the former representation when other attorneys from the law firm appear, in lieu of outright disqualification. [...]
- [18-118](#) Digest: Where a full-time judge was formerly an equity partner in a large law firm, and will receive life-long annual retirement benefits from the firm, but those retirement benefits are effectively "fixed" on a particular date rather than tied to the firm's ongoing profits: (1) the judge is permanently disqualified, without the possibility of remittal, from all cases in which the judge had any personal involvement as a lawyer; (2) the judge is disqualified, subject to remittal, from all cases involving the law firm as long as he/she continues to receive retirement benefits from the firm; (3) the judge need not consult the firm's conflict databases to determine whether a litigant is a current or past client of the law firm; (4) the judge is disqualified, subject to remittal, from all cases involving litigants the judge recognizes as current clients of the firm as long as he/she continues to receive retirement benefits from the firm; (5) for two years from the date the retirement benefits are effectively "fixed," the judge is disqualified, subject to remittal, from all cases involving litigants the judge recognizes as past clients of the law firm.
- [18-46](#) Digest: Where a full-time judge and his/her former law firm have an ongoing financial relationship after the judge assumes the bench, the judge is disqualified, subject to remittal, when a client or former client of the firm appears before the judge. The obligation continues until two years after that relationship completely ends, including return of any distributed capital to the judge. After the two-year period, the decision of whether to disclose or recuse is confined solely to the judge's discretion, after considering all relevant factors. (*Note: Modified by 18-118*)
- [18-31](#) Digest: A new Surrogate's Court judge who sold his/her cabinet of wills to an attorney for a one-time payment: (1) may not preside in any cases involving the purchased wills and (2) is disqualified, subject to remittal, in all other cases involving the attorney for two years following the payment for the files. During the two-year disqualification period, the judge may not preside in any uncontested cases involving the attorney who purchased the wills, as remittal would not be possible.
- [17-143](#) Digest: (1) A judge who co-owns real property with an attorney is disqualified, subject to remittal, from cases in which that attorney appears, for the duration of the co-ownership relationship and for two years after it completely terminates. (2) Where

the co-ownership interest is not likely to result in frequent disqualification, the judge need not divest him/herself of the interest. (3) The judge may accept rent from an attorney tenant, but must disqualify him/herself, subject to remittal, for the duration of the landlord/tenant relationship. This obligation ends when the landlord/tenant relationship completely terminates. (4) Transfer of the judge's interest to his/her spouse or close family member slightly diminishes, but does not end, the judge's obligations: The judge is disqualified, subject to remittal, when the attorney co-owner appears before the judge as an attorney or a party, but not when he/she appears as a witness. (5) Transfer of the judge's interest to a third party who is not a member of the judge's family constitutes divestment of the judge's interest. Thus, the judge is disqualified, subject to remittal, whenever the former co-owner appears for two years from the date the former co-ownership relationship completely terminates, meaning after the sale is complete and final payment has been made. After the two-year period, the judge has no further obligation.

[06-62](#) Digest: A judge who sells his/her practice to another local lawyer must disclose the business relationship and recuse, subject to remittal, when the purchasing attorney appears before the judge. This disclosure and recusal requirement continues for two years following the receipt of final payment for the practice.

[05-130\(B\)](#) Digest: A full-time judge may accept rent from the lawyer who assumed the judge's law practice and office housed in a building owned by the judge. However, the judge must disclose the relationship and exercise recusal (subject to remittal) for two years after receiving the final payment from the sale or assumption of the practice. As long as the aforesaid lawyer maintains a landlord/tenant relationship with the judge, the same rule of disclosure, recusal, and remittal applies. [...]