

CLIFTON JACKSON AFFIDAVIT AND APPENDIX OF EXHIBITS ARE NUMBERED (first two cover pages of affidavit unnumbered, iii-lxiii) IN ROMAN NUMERAL, EXHIBIT PAGES ARE CROSS REFERENCED AS APPENDIX (Appendix Pages are numbered 1-655) PAGES. AFFIDAVIT AND EXHIBITS ARE IN SUPPORT OF 26B MOTION TO REOPEN STATE OF OHIO v. CLIFTON JACKSON, CASE NO. 11CR083104, NINTH DISTRICT COURT OF APPEALS CASE NO. 14CA010555, Not Limited To.

EXHIBIT

AAR

EXHIBITS A-AAAE IN SUPPORT OF CLIFTON JACKSON ENCLOSED AFFIDAVIT AND APPENDIX PREPARED MARCH OF 2016 OF A DETAILED TIME LINE OF FACTUAL EVENTS BETWEEN JUNE 14th, 2011 AND OCTOBER OF 2015 TO THE BEST OF MY LAYMEN LEGAL ABILITIES. THIS EXHIBIT "AAR" IS REFERENCED In Every ¶ Of The Affidavit That Highlights Disciplinary Violations Codes.

CLIFTON JACKSON AFFIDAVIT AND APPENDIX OF EXHIBITS ARE NUMBERED (first two cover pages of affidavit unnumbered, (i)-(ix)) IN ROMAN NUMERAL. EXHIBIT PAGES ARE CROSS REFERENCED AS APPENDIX (Appendix Pages are numbered 1-655) PAGES. AFFIDAVIT AND EXHIBITS ARE IN SUPPORT OF 26B MOTION TO REOPEN STATE OF OHIO v. CLIFTON JACKSON, CASE NO. 11CR083104, NINTH DISTRICT COURT OF APPEALS CASE NO. 14CA010555, Not Limited Too.

- Excerpts of the following:

***OHIO RULES OF PROFESSIONAL
CONDUCT**

***SUPREME COURT RULES FOR THE
GOVERNMENT OF THE BAR**

***SUPREME COURT RULES FOR THE
GOVERNMENT OF THE JUDICIARY**

***CODE OF JUDICIAL CONDUCT**

are from the -

OHIO RULES OF COURT VOLUME I - STATE 2015

OHIO RULES OF PROFESSIONAL CONDUCT

(for the laymen reader, the legal abbreviation is Prof. Cond. R.)

Client-lawyer relationship

Rule 1.1. Competence

Rule 1.2. Scope of representation and allocation of authority between client and lawyer

Rule 1.3. Diligence

Rule 1.4. Communication

Rule 1.6. Confidentiality of information

II. Counselor

Rule 2.1. Advisor

III. Advocate

Rule 3.4. Fairness to opposing party and counsel

Rule 3.8. Special responsibilities of a prosecutor

IV. Transactions with persons other than clients

Rule 4.1. Truthfulness in statements to others

V. Law firms and associations

Rule 5.1. Responsibilities of partners, managers, and supervisory lawyers

VIII. Maintaining the integrity of the profession

Rule 8.3. Reporting professional misconduct

Rule 8.4. Misconduct

Preamble: A lawyer's responsibilities.

(1) As an officer of the court, a lawyer not only represents clients but has a special responsibility for the quality of justice.

(2) In representing clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the clients legal rights and obligations and explains their practical implications. As advocate, a lawyer asserts the clients position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client and consistent with requirements of honest dealings with others. As an evaluator, a lawyer examines a clients legal affairs and reports about them to the client or to others.

(4) In all professional functions a lawyer should be competent, prompt, diligent, and loyal. A lawyer should maintain communication with a client concerning the representation. A lawyer should keep in confidence information relating to representation of a client except so far as disclosure is required or permitted by the Ohio Rules of Professional Conduct or other law.

Rule 1.1. Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

Rule 1.2. Scope of representation and allocation of authority between client and lawyer

(a) Subject to divisions (c), (d), and (e) of this rule, a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer does not violate this rule by acceding to requests of opposing counsel that do not prejudice the rights of the client, being punctual in fulfilling all professional commitments, avoiding offensive tactics, and treating with courtesy and consideration all persons involved in the legal process. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the client's decision as to a plea to be entered, whether to waive a jury trial, and whether the client will testify.

(c) A lawyer may limit the scope of a new or existing representation if the limitation is reasonable under the circumstances and communicated to the client, preferably in writing.

(d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is illegal or fraudulent. A lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client in making a good faith effort to determine the validity, scope, meaning, or application of the law.

(e) Unless otherwise required by law, a lawyer shall not present, participate in presenting, or threaten to present criminal charges or professional misconduct allegations solely to obtain an advantage in a civil

matter.

Rule 1.3. Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client.

Rule 1.4. Communication

(a) A lawyer shall do all of the following:

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent is required by these rules;

(2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;

(3) keep the client reasonably informed about the status of the matter;

(4) comply as soon as practicable with reasonable requests for information from the client;

(5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Ohio Rules of Professional Conduct or other law.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

(c) A lawyer shall inform a client at the time of the client's engagement of the lawyer or at any time subsequent to the engagement if the lawyer does not maintain professional liability insurance in the amounts of at least one hundred thousand dollars per occurrence and three hundred thousand dollars in the aggregate or if the lawyer's professional liability insurance is terminated. The notice shall be provided to the client on a separate form set forth following this rule and shall be signed by the client.

Rule 1.6. Confidentiality of Information

(a) A lawyer shall not reveal information relating to the representation of a client, including information protected by the attorney-client privilege under applicable law, unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by division (b) or required by division (d) of this rule.

II.
Counselor

Rule 2.1. Advisor

In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations, such as moral, economic, social, and political factors, that may be relevant to the client's situation.

III. Advocate

Rule 3.4. Fairness to opposing party and counsel

A lawyer shall not do any of the following:

(a) unlawfully obstruct another party's access to evidence; unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value; or counsel or assist another person to do any such act;

(b) falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law;

(c) knowingly disobey an obligation under the rules of a tribunal, except for an open refusal based on a good faith assertion that no valid obligation exists;

(d) in pretrial procedure, intentionally or habitually make a frivolous motion or discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party;

(e) in trial, allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence or by a good-faith belief that such evidence may exist, assert personal knowledge of facts in issue except when testifying as a witness, or state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant, or the guilt or innocence of an accused;

Rule 3.8. Special responsibilities of a prosecutor

The prosecutor in a criminal case shall not do any of the following:

(a) pursue or prosecute a charge that the prosecutor knows is not supported by probable cause;

(d) fail to make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, fail to disclose to the defense all unprivileged mitigating

information known to the prosecutor, except when the prosecutor is relieved of this responsibility by an order of the tribunal;

IV.

Transactions with persons other than clients

Rule 4.1. Truthfulness in statements to others

In the course of representing a client a lawyer shall not knowingly do either of the following:

- (a) make a false statement of material fact or law to a third person;
- (b) fail to disclose a material fact when disclosure is necessary to avoid assisting an illegal or fraudulent act by a client.

V.

Law firms and associations

Rule 5.1. Responsibilities of partners, managers, and supervisory lawyers

(c) A lawyer shall be responsible for another lawyer's violation of the Ohio Rules of Professional Conduct if either of the following applies:

- (1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved;
- (2) the lawyer is a partner or has comparable managerial authority in the law firm or government agency in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

VIII.

Maintaining the integrity of the profession

Rule 8.3. Reporting professional misconduct

(a) A lawyer who possesses unprivileged knowledge of a violation of the Ohio Rules of Professional

Conduct that raises a question as to any lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, shall inform a disciplinary authority empowered to investigate or act upon such a violation.

(b) A lawyer who possesses unprivileged knowledge that a judge has committed a violation of the Ohio Rules of Professional Conduct or applicable rules of judicial conduct shall inform the appropriate authority.

Rule 8.4. Misconduct

It is professional misconduct for a lawyer to do any of the following:

- (a) violate or attempt to violate the Ohio Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit an illegal act that reflects adversely on the lawyer's honesty or trustworthiness;
- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;
- (e) state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Ohio Rules of Professional Conduct or other law;
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of the Ohio Rules of Professional Conduct, the applicable rules of judicial conduct, or other law;
- (g) engage, in a professional capacity, in conduct involving discrimination prohibited by law because of race, color, religion, age, gender, sexual orientation, national origin, marital status, or disability;
- (h) engage in any other conduct that adversely reflects on the lawyer's fitness to practice law.

**Supreme Court Rules For The Government Of The Bar
(for the laymen reader, the legal abbreviation is Gov. Bar. R.)**

Rule I. Admission to the practice of law

Rule III. Legal professional associations authorized to practice law

Rule IV. Professional responsibility

Gov Bar R. I Admission to the practice of law

Section 1. General requirements.

To be admitted to the practice of law in Ohio, an applicant shall satisfy all of the following requirements:

(D) Prior to taking the Ohio bar examination or being admitted without examination pursuant to Section 9 of this rule, have demonstrated that the applicant possesses the requisite character, fitness, and moral qualifications for admission to the practice of law and have been approved as to character, fitness, and moral qualifications under procedures provided in this rule;

(F) Have taken the oath of office pursuant to Section 8(A) of this rule.

Section 3. Application for Ohio bar examination; Updating character and fitness information after the examination.

(B) The examination application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

(1) An affidavit that the applicant has read and studied the Rules for the Government of the Bar of Ohio, the Ohio Rules of Professional Conduct, and the Code of Judicial Conduct adopted by the Court;

(2) An affidavit that the applicant has not engaged in the unauthorized practice of law;

Gov Bar R III Legal professional associations authorized to practice law

Section 3. Ethics and discipline.

(A) Participation in a legal professional association, corporation, legal clinic, limited liability company, or limited liability partnership shall not relieve an attorney of or diminish any obligation under the Ohio Rules of Professional Conduct or under these rules.

(C) An attorney shall not use a legal professional association, corporation, legal clinic, limited liability company, or limited liability partnership to attempt to limit liability for his or her

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personal malpractice in violation of Rule 1.8 of the Ohio Rules of Professional Conduct.

(D) A legal professional association, corporation, legal clinic, limited liability company, or limited liability partnership in which an attorney is an officer, director, agent, employee, manager, member, partner, or equity holder shall be considered the attorney's firm for purposes of the Ohio Rules of Professional Conduct and these rules.

Gov Bar R IV Professional responsibility

Section 1. Applicability.

The Ohio Rules of Professional Conduct, effective February 1, 2007, as amended, shall be binding upon all persons admitted to practice law in Ohio. The willful breach of the Rules shall be punished by reprimand, suspension, disbarment, or probation as provided in Gov. Bar R. V.

Section 2. Duty of lawyers.

It is the duty of the lawyer to maintain a respectful attitude toward the courts, not for the sake of the temporary incumbent of the judicial office, but for the maintenance of its supreme importance. Judges and Justices, not being wholly free to defend themselves, are peculiarly entitled to receive the support of lawyers against unjust criticism and clamor. Whenever there is proper ground for serious complaint of a judicial officer, it is the right and duty of the lawyer to submit a grievance to proper authorities. These charges should be encouraged and the person making them should be protected.

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**Supreme Court Rules for the Government of the Judiciary of Ohio
(for the laymen reader, the legal abbreviation is Gov. Jud. R.)**

Gov Jud R I. Professional responsibility and judicial ethics

Section 1. Applicability.

The Ohio Rules of Professional Conduct, effective February 1, 2007, as amended, shall be binding upon all persons admitted to practice law in Ohio. The willful breach of the Rules by a Justice, judge, or candidate for judicial office shall be punished by reprimand, suspension, disbarment, or probation as provided in Gov.Jud.R. II and Gov.Bar R. V. The Code of Judicial Conduct, as adopted by the Supreme Court, effective December 20, 1973, and set forth in 36 Ohio State 2d Reports, as amended, shall be binding upon all judicial officers of this state and candidates for judicial office. The willful breach of the Code shall be punished by reprimand, suspension, disbarment, or probation as provided in Gov.Jud.R. II and Gov.Bar R. V, or by retirement, removal, or suspension from office, as provided in Gov.Jud.R. III.

Section 2. Duty of lawyers.

It is the duty of the lawyer to maintain towards the courts a respectful attitude, not for the sake of the temporary incumbent of the judicial office, but for the maintenance of its supreme importance. Justices and judges, not being wholly free to defend themselves, are peculiarly entitled to receive the support of lawyers against unjust criticism and clamor. Whenever there is proper ground for serious complaint of a judicial officer, it is the right and duty of the lawyer to submit a grievance to the proper authorities. These charges should be encouraged and the person making them should be protected.

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Code Of Judicial Conduct
(for the laymen reader, the legal abbreviation is **CJC** or **Canon #**)

Canon 1

Canon 2

Canon 3

Canon 4

Preamble

[2] Judges should maintain the dignity of judicial office at all times and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.

Canon 1

A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Rule 1.1 Compliance with the law

A judge shall comply with the law.

Rule 1.2 Promoting confidence in the judiciary

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Rule 1.3 Avoiding abuse of the prestige of judicial office

A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.

Canon 2

A judge shall perform the duties of judicial office impartially, competently, and diligently.

Rule 2.1 Giving precedence to the duties of judicial office

The duties of judicial office, as prescribed by law, shall take precedence over all of a judge's other activities.

Rule 2.2 Impartiality and fairness

A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.

Rule 2.4 External influences on judicial conduct

(A) A judge shall not be swayed by public clamor or fear of criticism.

(B) A judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.

(C) A judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge.

Rule 2.5 Competence, diligence, and cooperation

(A) A judge shall perform judicial and administrative duties competently and diligently and shall comply with guidelines set forth in the Rules of Superintendence for the Courts of Ohio

Rule 2.6 Ensuring the right to be heard

(A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.

(B) A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute but shall not act in a manner that coerces any party into settlement.

Rule 2.7 Responsibility to decide

A judge shall hear and decide matters assigned to the judge, except when disqualification is required by Rule 2.11 or other law.

Rule 2.9 Ex parte contacts and communications with others

(A) A judge shall not initiate, receive, permit, or consider ex parte communications, except as follows:

1) When circumstances require it, an ex parte communication for scheduling, administrative, or emergency purposes, that does not address substantive matters or issues on the merits, is permitted, provided the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage as a result of the ex parte communication;

(2) A judge may obtain the advice of a disinterested expert on the law applicable to a proceeding before the judge, if the judge gives notice to the parties of the person consulted

and the subject-matter of the advice solicited, and affords the parties a reasonable opportunity to object or respond to the advice received;

(3) A judge may consult with court staff and court officials whose functions are to aid the judge in carrying out the judge's adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record and does not abrogate the responsibility personally to decide the matter;

(4) A judge, with the consent of the parties, may confer separately with the parties and their lawyers in an effort to settle matters pending before the judge;

(5) A judge may initiate, receive, permit, or consider an ex parte communication when expressly authorized by law to do so;

(6) A judge may initiate, receive, permit, or consider an ex parte communication when administering a specialized docket, provided the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage while in the specialized docket program as a result of the ex parte communication.

(B) If a judge receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.

(C) A judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

(D) A judge shall make reasonable efforts, including providing appropriate supervision, to ensure that this rule is not violated by court staff, court officials, and others subject to the judge's direction and control.

Rule 2.10 Judicial statements on pending and impending cases

(A) A judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing.

(B) A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

(C) A judge shall require court staff, court officials, and others subject to the judge's direction and control to refrain from making statements that the judge would be prohibited from making by divisions (A) and (B) of this rule.

Rule 2.11 Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

(5) The judge, while a judge or a judicial candidate, has made a public statement, other than in a court proceeding, judicial decision, or opinion, that commits or appears to commit the judge to reach a

particular result or rule in a particular way in the proceeding or controversy.

(7) The judge meets any of the following criteria:

(b) The judge served in governmental employment, and in such capacity participated personally and substantially as a lawyer or public official concerning the particular matter, or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy;

Rule 2.12 Supervisory duties

(A) A judge shall require court staff, court officials, and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations under this code.

Rule 2.15 Responding to judicial and lawyer misconduct

(A) A judge having knowledge that another judge has committed a violation of this Code that raises a question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(B) A judge having knowledge that a lawyer has committed a violation of the Ohio Rules of Professional Conduct that raises a question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

Canon 3

A judge shall conduct the judge's personal and extrajudicial activities so as to minimize the risk of conflict with the obligations of judicial office.

Rule 3.1 Extrajudicial activities in general

A judge may engage in extrajudicial activities, except as prohibited by law. However, when engaging in extrajudicial activities, a judge shall not do any of the following:

(A) Participate in activities that will interfere with the proper performance of the judge's judicial

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duties;

(C) Participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality;

(D) Engage in conduct that would appear to a reasonable person to be coercive;

Canon 4

A judge or judicial candidate shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

Rule 4.1 Political and campaign activities of judges and judicial candidates

(A) A judge or judicial candidate shall not do any of the following:

(6) Make any statement that would reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court;

(7) In connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.