

## ETHICAL GUIDELINES for JUDICIAL CAMPAIGNING

PRESENTED BY  
THE LOUISIANA  
JUDICIAL CAMPAIGN  
OVERSIGHT COMMITTEE

## PURPOSE OF COMMITTEE

- SERVES AS A RESOURCE FOR JUDGES AND JUDICIAL CANDIDATES
- ASSISTS IN EDUCATING JUDGES AND JUDICIAL CANDIDATES ON ETHICAL CAMPAIGN CONDUCT
- HELPS DETER UNETHICAL JUDICIAL CAMPAIGN CONDUCT

## COMPOSITION OF COMMITTEE

- THE LOUISIANA CAMPAIGN OVERSIGHT COMMITTEE CONSISTS OF 15 MEMBERS APPOINTED BY THE COURT
- IT INCLUDES RETIRED JUDGES, LAWYERS, AND CITIZENS

## COMMITTEE MEMBERS

- Mr. Harry S. Hardin, III, Chair
- Mr. John B. Scofield, Vice-Chair
- Ms. Gale Anderson
- Christopher E. Cenac, M.D.
- Retired Justice Luther Cole
- Mr. Barry Erwin
- Retired Judge Andrew Gallagher
- Mr. Gene Okyeame Haley
- Retired Judge Robert L. Lobrano
- Ms. Debra Simmons Neveu
- Mr. Lawrence W. Pickett, Jr.
- Ms. Bonita Preuett-Armour
- Ms. Marta-Ann Schnabel
- Retired Judge Fred C. Sexton
- Staff Attorney: Ms. Tracy A. Buccino

## RELATED BODIES

- THE OVERSIGHT COMMITTEE IS NOT AFFILIATED WITH EITHER THE JUDICIARY COMMISSION OR THE COMMITTEE ON JUDICIAL ETHICS

## JUDICIARY COMMISSION

(1974 La. Const., Article V, Section 25; La. S. Ct. Rule XXIII)

- INVESTIGATES COMPLAINTS CONCERNING MISCONDUCT OR DISABILITY OF A JUDGE
- MAY SUBPOENA WITNESSES, COMPEL ATTENDANCE, EXAMINE UNDER OATH, AND REQUIRE PRODUCTION OF RELEVANT EVIDENCE
- MAY RECOMMEND JUDICIAL DISCIPLINE TO THE LOUISIANA SUPREME COURT

## COMMITTEE ON JUDICIAL ETHICS

- ACCEPTS FROM JUDGES INQUIRIES RELATED TO THE PROPER INTERPRETATION OF THE CODE OF JUDICIAL CONDUCT AND FROM JUDICIAL CANDIDATES INQUIRIES RELATED TO THE PROPER INTERPRETATION OF CANON 7 OF THE CODE OF JUDICIAL CONDUCT
- ISSUES WRITTEN ADVISORY ETHICS OPINIONS

## JUDICIAL CAMPAIGN OVERSIGHT COMMITTEE

- HAS NO SUBPOENA, DISCIPLINARY, OR ENFORCEMENT POWER
- DOES NOT ISSUE WRITTEN ADVISORY OPINIONS
- A THREE-MEMBER SUBCOMMITTEE MAY REVIEW CAMPAIGN ADS AND MATERIALS AND PROVIDE CONFIDENTIAL INFORMAL ADVICE
- MAY ISSUE A PUBLIC STATEMENT IF AT LEAST EIGHT MEMBERS FIND CLEAR AND CONVINCING EVIDENCE OF A VIOLATION OF ONE OF TEN SPECIFIED CANON 7 PROVISIONS
- MAY NEGOTIATE AN INFORMAL RESOLUTION WITH THE RESPONDENT CANDIDATE

## ACKNOWLEDGMENT

- THE LOUISIANA SUPREME COURT HAS APPROVED AN "ACKNOWLEDGMENT REGARDING CANON 7 OF THE LOUISIANA CODE OF JUDICIAL CONDUCT" PREPARED BY THE OVERSIGHT COMMITTEE
- CANDIDATES ACKNOWLEDGE, BY SIGNING AND RETURNING THE ACKNOWLEDGMENT, THAT THEY HAVE READ AND UNDERSTAND THE LOUISIANA CODE OF JUDICIAL CONDUCT, INCLUDING CANON 7, AND THAT THEY ARE BOUND BY CANON 7 DURING THEIR CAMPAIGNS
- ALTHOUGH SIGNING THE ACKNOWLEDGMENT IS VOLUNTARY, ALL JUDICIAL CANDIDATES ARE BOUND BY CANON 7 REGARDLESS OF WHETHER THEY HAVE SIGNED IT
- ACKNOWLEDGMENTS ARE AVAILABLE FOR PUBLIC INSPECTION

## CANON 7 OF THE LOUISIANA CODE OF JUDICIAL CONDUCT

- REGULATES CAMPAIGN CONDUCT AND POLITICAL ACTIVITIES
- APPLIES TO JUDGES AND JUDICIAL CANDIDATES

## CANON 7 IS ENTITLED:

"A JUDGE OR JUDICIAL CANDIDATE SHALL REFRAIN FROM INAPPROPRIATE POLITICAL ACTIVITY."

## CANON 7A:

"POLITICAL CONDUCT IN GENERAL"

- CANON 7A(1)(a)
- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT ACT AS A LEADER OR HOLD ANY OFFICE IN A POLITICAL ORGANIZATION

## CANON 7A(1)(b)

- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT PUBLICLY ENDORSE OR PUBLICLY OPPOSE ANOTHER CANDIDATE FOR PUBLIC OFFICE

## CANON 7A(1)(c)

- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT MAKE SPEECHES ON BEHALF OF A POLITICAL ORGANIZATION OR A CANDIDATE FOR PUBLIC OFFICE

## CANON 7A(1)(d)

- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT, EXCEPT TO THE EXTENT PERMITTED BY THESE CANONS, SOLICIT FUNDS FOR, PAY AN ASSESSMENT TO, OR MAKE A CONTRIBUTION TO A POLITICAL ORGANIZATION OR CANDIDATE OR PURCHASE TICKETS FOR POLITICAL PARTY DINNERS OR OTHER CAMPAIGN FUNCTIONS

ADVISORY OPINIONS AND  
CASELAW RELATING TO  
CANON 7A:

A JUDGE OR CANDIDATE MAY CONTRIBUTE TO HIS OR HER OWN CAMPAIGN FOR OFFICE, BUT NOT TO THAT OF ANY OTHER CANDIDATE

- CANON 7A(1)(b) and (d)
- LA. ETHICS ADVISORY OPINION NO. 44

A JUDGE MAY ACCOMPANY HIS OR HER CANDIDATE SPOUSE TO POLITICAL GATHERINGS, AS LONG AS JUDGE IS NOT HELD OUT TO VOTERS IN HIS OR HER OFFICIAL CAPACITY AND JUDGE DOES NOT SOLICIT FUNDS OR SUPPORT FOR THE SPOUSE

- CANON 7A(1)(b); 7A(1)(c); 7A(1)(d)
- LA. ETHICS ADVISORY OPINION NO. 52

A JUDGE, WHILE A CANDIDATE FOR RE-ELECTION, MAY NOT PURCHASE TICKETS TO RE-ELECTION FUNDRAISERS FOR NON-JUDICIAL CANDIDATES WITH A CHECK FROM HIS OR HER CAMPAIGN ACCOUNT

- CANON 7A(1)(b) and (d)
- LA. ETHICS ADVISORY OPINION NO. 136

A JUDGE MAY ATTEND A FUNDRAISER FOR A CANDIDATE IF THE JUDGE IS GIVEN COMPLIMENTARY TICKETS TO ATTEND, BUT THE JUDGE CANNOT ENDORSE THE CANDIDATE

- CANON 7A(1)(b) and (d)
- CANON 7C(1)(a)
- LA. ETHICS ADVISORY OPINION NO. 152

## A JUDGE MAY NOT UTILIZE EXCESS CAMPAIGN FUNDS TO MAKE CONTRIBUTIONS TO OTHER CANDIDATES FOR PUBLIC OFFICE

- CANON 7A(1)(b) and (d)
- No. 02-0643 (La. 4/26/02), 815 So. 2d 813 (judge censured)

## CANON 7B:

### "CAMPAIGN CONDUCT"

- A JUDGE OR JUDICIAL CANDIDATE SHALL MAINTAIN THE DIGNITY APPROPRIATE TO JUDICIAL OFFICE AND ACT IN A MANNER CONSISTENT WITH THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY, AND SHOULD ENCOURAGE THE MEMBERS OF THE CANDIDATE'S FAMILY TO ADHERE TO THE SAME STANDARDS OF POLITICAL CONDUCT IN SUPPORT OF THE CANDIDATE AS APPLY TO THE CANDIDATE
- CANON 7B(1)(a)

## CANON 7B(1)(b)

- A JUDGE OR JUDICIAL CANDIDATE SHALL PROHIBIT EMPLOYEES AND OFFICIALS WHO SERVE AT THE PLEASURE OF THE CANDIDATE, AND SHOULD DISCOURAGE OTHER EMPLOYEES AND OFFICIALS SUBJECT TO THE CANDIDATE'S DIRECTION AND CONTROL FROM DOING ON THE CANDIDATE'S BEHALF WHAT THE CANDIDATE IS PROHIBITED FROM DOING UNDER THIS CANON

## CANON 7B(1)(c)

- A JUDGE OR JUDICIAL CANDIDATE, EXCEPT TO THE EXTENT PERMITTED BY THESE CANONS, SHALL NOT AUTHORIZE OR KNOWINGLY PERMIT ANY PERSON TO DO FOR THE CANDIDATE WHAT THE CANDIDATE IS PROHIBITED FROM DOING UNDER THIS CANON

### CANON 7B(1)(d)(i)

- WITH RESPECT TO CASES, CONTROVERSIES, OR ISSUES LIKELY TO COME BEFORE THE COURT, A JUDGE OR JUDICIAL CANDIDATE SHALL NOT MAKE PLEDGES, PROMISES OR COMMITMENTS INCONSISTENT WITH THE IMPARTIAL PERFORMANCE OF THE ADJUDICATIVE DUTIES OF THE OFFICE

### CANON 7B(1)(d)(ii)

- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT KNOWINGLY MAKE, OR CAUSE TO BE MADE, A FALSE STATEMENT CONCERNING THE IDENTITY, QUALIFICATIONS, PRESENT POSITION OR OTHER FACT CONCERNING THE CANDIDATE OR AN OPPONENT

### CANON 7B(1)(d)(iii)

- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT, WHILE A PROCEEDING IS PENDING IN ANY LOUISIANA STATE COURT, MAKE ANY PUBLIC COMMENT THAT MIGHT REASONABLY BE EXPECTED TO AFFECT ITS OUTCOME OR IMPAIR ITS FAIRNESS

### CANON 7B(1)(e)

- A JUDGE OR JUDICIAL CANDIDATE MAY RESPOND TO PERSONAL ATTACKS OR ATTACKS ON THE CANDIDATE'S RECORD AS LONG AS THE RESPONSE DOES NOT VIOLATE CANON 7B(1)(d)

ADVISORY OPINIONS AND  
CASELAW RELATING TO  
CANON 7B:

THE U. S. SUPREME COURT HAS  
HELD THAT STATES CANNOT  
PROHIBIT CANDIDATES FOR  
JUDICIAL OFFICE FROM  
"ANNOUNC[ING]" THEIR "VIEWS  
ON DISPUTED LEGAL OR  
POLITICAL ISSUES. "

- *REPUBLICAN PARTY OF MINN. V. WHITE*, 536 U.S. 765 (2002)

IT IS AN ABUSE OF COURT  
RESOURCES AND AUTHORITY  
FOR A JUDGE TO COERCE  
HIS STAFF MEMBERS INTO  
PARTICIPATING IN FUND-  
RAISING EFFORTS AND  
CAMPAIGN ACTIVITIES.

- See, No. 03-1412 (La. 10/21/03), 857 So.2d 432 (judge removed from office).

IT IS PERMISSIBLE FOR A  
JUDGE'S SPOUSE OR  
IMMEDIATE FAMILY MEMBER  
TO CONTRIBUTE TO OR WORK  
IN POLITICAL CAMPAIGNS  
NOT CONCERNING THE  
JUDGE'S ELECTION

- LA. ETHICS ADVISORY OPINION NO. 134

IT IS NOT ETHICALLY PERMISSIBLE FOR A JUDGE TO SERVE AS PRESIDENT OF THE RAPE CRISIS FOUNDATION AS THIS GIVES THE APPEARANCE OF PARTIALITY AND BIAS

- LA. ETHICS ADVISORY OPINION NO. 89; CANON 7B(1)(a)

IT IS ETHICALLY IMPERMISSIBLE FOR A CANDIDATE WHO HAS NEVER BEEN ELECTED TO JUDICIAL OFFICE TO USE THE TITLE "JUDGE" IN CAMPAIGN LITERATURE

- LA. ETHICS ADVISORY OPINION NO. 84

IT IS ETHICALLY IMPERMISSIBLE FOR A FORMER JUDGE, PREVIOUSLY DEFEATED, TO USE "JUDGE" OR "REELECT JUDGE" IN CAMPAIGN LITERATURE

- LA. ETHICS ADVISORY OPINION NO. 104

A SITTING JUDGE SEEKING ELECTION TO JUDICIAL OFFICE MAY, DURING THE ELECTION CAMPAIGN, USE PHOTOGRAPHS OF HIMSELF IN A JUDICIAL ROBE.

- LA. ETHICS ADVISORY OPINION NO. 7

JUDGE CENSURED BECAUSE, PRIOR TO HOLDING ELECTED JUDICIAL OFFICE, HE USED THE PHRASE "THE QUALIFIED JUDGE" IN HIS JUDICIAL CAMPAIGN PRINT AND TELEVISION ADVERTISING

- See, 683 So.2d 1202 (La. 1996)

FLORIDA JUDGE REMOVED FOR, AMONG OTHER THINGS, MAKING REPRESENTATIONS DURING A JUDICIAL CAMPAIGN THAT IF ELECTED HE WOULD FAVOR THE STATE AND THE POLICE IN COURT PROCEEDINGS

- See, *INQUIRY CONCERNING A JUDGE*, 797 So.2d 560 (Fla. 2001)

FLORIDA JUDGE REMOVED FOR MAKING "BLATANT, KNOWING MISREPRESENTATIONS" IN HIS CAMPAIGN LITERATURE AND TO THE PRESS, COUPLED WITH "SERIOUS CAMPAIGN FINANCIAL MISCONDUCT AND VIOLATIONS OF LAW"

- See, *INQUIRY CONCERNING A JUDGE*, 933 So.2d 482, rehearing denied, 2006 Fla. LEXIS 1537 (Fla. 2006)

FLORIDA JUDGE PUBLICLY REPRIMANDED FOR, *INTER ALIA*, MISREPRESENTING IN HIS CAMPAIGN LITERATURE THE NUMBER OF JURY TRIALS OVER WHICH HE HAD PRESIDED

- See, *INQUIRY CONCERNING A JUDGE*, 919 So.2d 389 (Fla. 2006)

## CANON 7C:

- CANON 7C(1)(a)
- A JUDGE OR JUDICIAL CANDIDATE MAY AT ANY TIME ATTEND POLITICAL GATHERINGS

## CANON 7C(1)(b)

- A JUDGE OR JUDICIAL CANDIDATE MAY AT ANY TIME IDENTIFY HIMSELF OR HERSELF AS A MEMBER OF A POLITICAL PARTY

## CANON 7C(2)(a)

- A JUDGE OR JUDICIAL CANDIDATE MAY, DURING HIS OR HER CANDIDACY, SPEAK TO GATHERINGS ON HIS OR HER OWN BEHALF

## CANON 7C(2)(b)

- A JUDGE OR JUDICIAL CANDIDATE MAY, DURING HIS OR HER CANDIDACY, APPEAR IN NEWSPAPER, TELEVISION OR OTHER MEDIA ADVERTISEMENTS SUPPORTING HIS OR HER CANDIDACY

### CANON 7C(2)(c)

- A JUDGE OR JUDICIAL CANDIDATE MAY, DURING HIS OR HER CANDIDACY, DISTRIBUTE PAMPHLETS OR OTHER PROMOTIONAL CAMPAIGN LITERATURE SUPPORTING HIS OR HER CANDIDACY

### CANON 7C(2)(d)

- A JUDGE OR JUDICIAL CANDIDATE MAY, DURING HIS OR HER CANDIDACY, CONTRIBUTE TO A POLITICAL ORGANIZATION AND/OR BE INCLUDED ON A POLITICAL TICKET OR ENDORSEMENT

### ADVISORY OPINIONS RELATING TO CANON 7C:

A JUDICIAL CANDIDATE MAY MAKE A CONTRIBUTION TO A POLITICAL ORGANIZATION, BUT MAY NOT CONTRIBUTE TO A CANDIDATE UNDER THE GUISE OF CONTRIBUTING TO A POLITICAL ORGANIZATION

- CANON 7A(1)(d); CANON 7C(2)(d)
- LA. ETHICS ADVISORY OPINION NO. 136

IT IS ETHICALLY PERMISSIBLE FOR A JUDGE TO ATTEND POLITICAL GATHERINGS AND SPEAK ON HIS OR HER OWN BEHALF WHEN A CANDIDATE FOR REELECTION; FUNDRAISING TESTIMONIALS ARE PERMITTED IF FUNDS SOLICITED BY A COMMITTEE AND NOT FOR BENEFIT OF OTHER CANDIDATES

- LA. ETHICS ADVISORY OPINION NO. 40

## CANON 7D: CAMPAIGN COMMITTEES

- CANON 7D(1)
- A JUDGE OR JUDICIAL CANDIDATE SHALL NOT PERSONALLY SOLICIT OR ACCEPT CAMPAIGN CONTRIBUTIONS
- A JUDGE OR JUDICIAL CANDIDATE MAY PERSONALLY SOLICIT PUBLICLY STATED SUPPORT

## CANON 7D(2)

- A CANDIDATE MAY ESTABLISH COMMITTEES TO CONDUCT CAMPAIGNS FOR THE CANDIDATE
- SUCH COMMITTEES MAY SOLICIT AND ACCEPT CAMPAIGN CONTRIBUTIONS, MANAGE THE EXPENDITURE OF FUNDS FOR THE CANDIDATE'S CAMPAIGN AND OBTAIN PUBLIC STATEMENTS OF SUPPORT FOR HIS OR HER CANDIDACY
- NO UNDUE PRESSURE OR COERCION MAY BE APPLIED IN SUCH SOLICITATION

## CANON 7D(3)

- THE COMMITTEES ARE NOT PROHIBITED FROM SOLICITING OR ACCEPTING CAMPAIGN CONTRIBUTIONS FROM LAWYERS
- A CANDIDATE'S COMMITTEE MAY SOLICIT CONTRIBUTIONS FOR THE CANDIDATE'S CAMPAIGN NO EARLIER THAN TWO YEARS BEFORE THE PRIMARY ELECTION
- CONTRIBUTIONS MAY BE SOLICITED AFTER THE LAST ELECTION IN WHICH THE CANDIDATE PARTICIPATED ONLY FOR THE PURPOSE OF EXTINGUISHING CAMPAIGN DEBT
- AFTER THE CAMPAIGN DEBT IS EXTINGUISHED, POST-ELECTION CAMPAIGN CONTRIBUTIONS MAY NOT BE SOLICITED OR ACCEPTED

## COMMENTARY TO CANON 7

- A JUDGE OR JUDICIAL CANDIDATE'S CAMPAIGN COMMITTEE, BUT NOT THE JUDGE OR JUDICIAL CANDIDATE, MAY SEND THANK YOU NOTES TO THE JUDGE OR JUDICIAL CANDIDATE'S CAMPAIGN CONTRIBUTORS

## CANON 7D(4)

- A JUDICIAL CANDIDATE SHALL NOT USE OR PERMIT THE USE OF CAMPAIGN CONTRIBUTIONS EXCEPT AS PROVIDED BY LAW

## ADVISORY OPINIONS AND CASELAW RELATING TO CANON 7D:

IT IS IMPERMISSIBLE FOR A JUDGE OR STAFF MEMBER TO PERSONALLY SOLICIT CAMPAIGN CONTRIBUTIONS FROM LAWYERS OR LITIGANTS

- LA. ETHICS ADVISORY OPINION NO. 99; SEE NOW, CANON 7D(1)

A JUDGE MAY NOT PERSONALLY  
ENDORSE AND DEPOSIT  
CAMPAIGN CONTRIBUTION  
CHECKS IN JUDGE'S CAMPAIGN  
FUND BANK ACCOUNT OR ACCEPT  
CAMPAIGN FUNDS OTHER THAN  
THROUGH A CAMPAIGN  
COMMITTEE

- No. 05-0524 (901 So. 2d 1035)  
(La. 2005) (judge censured).

IT IS NOT ETHICALLY  
IMPROPER FOR A FUND-  
RAISING RAFFLE TO BE  
HELD TO HELP DEFRAY  
JUDICIAL CAMPAIGN DEBTS,  
PROVIDED CERTAIN  
CONDITIONS ARE MET

- LA. ETHICS ADVISORY OPINION  
NO. 56

- THE CONDITIONS INCLUDE:
  - THE PROJECT IS CARRIED OUT THROUGH  
A COMMITTEE
  - THE JUDGE DOES NOT LEARN THE NAMES  
OF DONORS UNLESS REQUIRED TO  
REPORT NAMES
  - REQUIREMENTS OF CAMPAIGN FINANCE  
LAW COMPLIED WITH
  - RAFFLE NOT IN VIOLATION OF LAW

IT IS NOT ETHICALLY  
PERMISSIBLE FOR A JUDGE  
TO SOLICIT FUNDS BY  
LETTER SIGNED BY THE  
JUDGE AND SENT TO  
ATTORNEYS

- LA. ETHICS ADVISORY OPINION  
NO. 83

A LETTER MAY BE SIGNED  
AND SENT BY A JUDGE'S  
CAMPAIGN COMMITTEE

- LA. ETHICS ADVISORY OPINION  
NO. 83

IT IS ETHICALLY  
PERMISSIBLE FOR A JUDGE TO  
CIRCULATE AN "INVITATIONAL  
LETTER" TO FRIENDS,  
FAMILY, AND SELECTED  
OTHERS TO JOIN THE  
REELECTION COMMITTEE,  
ENDORSE CANDIDACY, AND  
ALLOW PUBLIC USE OF NAME

- LA. ETHICS ADVISORY OPINION  
NO. 98
- See, CANON 7D(1)

IT IS ETHICALLY  
IMPERMISSIBLE FOR THE  
REELECTION CAMPAIGN  
COMMITTEE FOR AN UNOPPOSED  
CANDIDATE TO RAISE FUNDS  
FOR THE PURPOSE OF HOSTING  
A POST-ELECTION PARTY SINCE  
THIS DOES NOT CONSTITUTE  
CAMPAIGN DEBT

- LA. ETHICS ADVISORY OPINION  
NO. 170

A JUDGE WAS CENSURED IN  
PART FOR THE RECEIPT OF  
CASH CAMPAIGN CONTRIBUTIONS  
THAT WERE NOT DECLARED ON  
THE CANDIDATE'S REPORT  
REQUIRED BY THE CAMPAIGN  
FINANCE DISCLOSURE ACT EVEN  
THOUGH OTHER RECORDS WITH  
THE INFORMATION WERE  
MAINTAINED

- 654 So.2d 687 (La. 1995)

## CANON 7E:

### "RETENTION OF CAMPAIGN CONTRIBUTIONS"

- NOT LATER THAN ONE YEAR AFTER THE BEGINNING OF THE TERM OF JUDICIAL OFFICE FOLLOWING AN ELECTION IN WHICH A JUDGE OR JUDICIAL CANDIDATE PARTICIPATES AS A CONTESTANT, THE JUDGE OR JUDICIAL CANDIDATE SHALL DIVEST HIMSELF OR HERSELF OF ANY UNUSED CAMPAIGN FUNDS, IN EXCESS OF THE AMOUNT LISTED BELOW, BY PRO RATA REFUND TO THE CAMPAIGN CONTRIBUTORS OR BY DONATION TO A CHARITABLE ORGANIZATION

THE JUDGE OR JUDICIAL CANDIDATE MAY RETAIN CAMPAIGN FUNDS IN THE FOLLOWING AMOUNTS PROPORTIONATE TO THE CLASSIFICATION OF THE OFFICE TO WHICH THE JUDGE OR JUDICIAL CANDIDATE SEEKS ELECTION:

#### AMOUNT OF CAMPAIGN FUNDS THAT MAY BE RETAINED

MAJOR OFFICE	\$300,000
DISTRICT OFFICE	\$200,000
OTHER OFFICE	\$100,000

### Definitions

- MAJOR OFFICE – Supreme Court justice, Court of Appeal judge, or any district, family, or juvenile court judge in a judicial district comprised of a single parish with a population over 250,000
- DISTRICT OFFICE - any district, family, or juvenile court judge (except in a judicial district comprised of a single parish with a population over 250,000), or parish, city, municipal, or traffic court judge
- OTHER OFFICE - any judicial office that is not a Major Office or District Office

## CANON 7F:

### "OTHER POLITICAL ACTIVITY"

- A JUDGE SHALL NOT ENGAGE IN ANY OTHER POLITICAL ACTIVITY EXCEPT ON BEHALF OF MEASURES TO IMPROVE THE LAW, THE LEGAL SYSTEM, OR THE ADMINISTRATION OF JUSTICE, OR AS EXPRESSLY AUTHORIZED BY LAW

## ADVISORY OPINIONS RELATING TO CANON 7F:

THERE IS NO PROHIBITION AGAINST A JUDGE PARTICIPATING IN A CAMPAIGN FOR OR AGAINST THE SPLITTING OF A JUDICIAL DISTRICT IN A REFERENDUM

- LA. ETHICS ADVISORY OPINION NO. 24

IT IS NOT A VIOLATION OF CANON 7 FOR A JUDGE TO PARTICIPATE IN THE PLANNING OF OR ACTING AS A MASTER OF CEREMONIES FOR A POLITICAL FORUM SPONSORED BY THE KIWANIS CLUB, PROVIDED NO ENDORSEMENTS ARE MADE AND NO PARTIALITY IS SHOWN

- LA. ETHICS ADVISORY OPINION NO. 51

IT IS ETHICALLY PERMISSIBLE FOR A JUDGE TO SERVE ON THE CHILD AND ADOLESCENT SERVICE SYSTEM PROGRAM COMMITTEE, AN ADVISORY SOURCE TO A COUNCIL CONCERNED WITH MATTERS OF POLICY AND PROGRAMS FOR CHILDREN WITH EMOTIONAL DISTURBANCES

- LA. ETHICS ADVISORY OPINION NO. 74

## CANON 7G: APPLICABILITY

- CANON 7 APPLIES TO ALL INCUMBENT JUDGES AND JUDICIAL CANDIDATES
- A SUCCESSFUL CANDIDATE IS SUBJECT TO JUDICIAL DISCIPLINE FOR HIS OR HER CAMPAIGN CONDUCT
- AN UNSUCCESSFUL CANDIDATE WHO IS A LAWYER IS SUBJECT TO LAWYER DISCIPLINE FOR HIS OR HER CAMPAIGN CONDUCT
- RULE 8.2 OF THE LOUISIANA RULES OF PROFESSIONAL CONDUCT REQUIRES THAT A LAWYER WHO IS A CANDIDATE FOR JUDICIAL OFFICE COMPLY WITH "THE APPLICABLE PROVISIONS OF THE CODE OF JUDICIAL CONDUCT"

## SUPREME COURT OPINION RELATING TO CANON 7G:

AN UNSUCCESSFUL JUDICIAL CANDIDATE WAS SUSPENDED FROM THE PRACTICE OF LAW FOR SIX MONTHS (WITH THREE MONTHS DEFERRED) FOR MISREPRESENTING HIMSELF AS A JUDGE OR SOON-TO-BE JUDGE AND MAKING LEWD, SUGGESTIVE REMARKS TO STAFF AT A HOTEL WHERE HE WAS PLANNING A CLE PROGRAM

- See, No. 05-1082, 922 So.2d 477 (La. 2006).

## CANON 7H: DEFINITION OF CANDIDATE

- A CANDIDATE IS A PERSON SEEKING ELECTION OR REELECTION TO A JUDICIAL OFFICE
- A PERSON BECOMES A CANDIDATE FOR JUDICIAL OFFICE AS SOON AS HE OR SHE MAKES A PUBLIC ANNOUNCEMENT OF CANDIDACY, DECLARES OR FILES AS A CANDIDATE WITH THE ELECTION OR APPOINTMENT AUTHORITY, OR AUTHORIZES SOLICITATION OR ACCEPTANCE OF CONTRIBUTIONS OR SUPPORT, WHICHEVER OCCURS FIRST

## CANON 7I :

### CANDIDACY FOR NON-JUDICIAL OFFICE

- A JUDGE SHALL RESIGN HIS OR HER OFFICE WHEN THE JUDGE BECOMES A CANDIDATE EITHER IN A PARTY PRIMARY OR IN A GENERAL ELECTION FOR A NON-JUDICIAL OFFICE, EXCEPT THAT A JUDGE MAY CONTINUE TO HOLD JUDICIAL OFFICE WHILE BEING A CANDIDATE FOR ELECTION TO OR SERVING AS A DELEGATE IN A STATE CONSTITUTIONAL CONVENTION, IF THE JUDGE IS OTHERWISE PERMITTED BY LAW TO DO SO

## ADVISORY OPINION RELATING TO CANONS 7H AND 7I :

A JUDGE MUST RESIGN  
JUDICIAL OFFICE ONCE A  
DECISION IS MADE TO RUN  
FOR NON-JUDICIAL OFFICE  
AND HE OR SHE BEGINS TO  
ACCEPT CONTRIBUTIONS

- LA. ETHICS ADVISORY OPINION  
NO. 35; CANON 7I

IT IS IMPERMISSIBLE FOR A JUDGE TO SOLICIT AND ACCEPT CAMPAIGN FUNDS AND CONTRIBUTIONS PRIOR TO THE START OF A CAMPAIGN FOR NON-JUDICIAL OFFICE; IT IS PERMISSIBLE TO TAKE A PRELIMINARY SURVEY MAKING INQUIRIES AS TO AVAILABILITY OF VOTING AND FINANCIAL SUPPORT

- LA. ETHICS ADVISORY OPINION NO. 35

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