

The background of the slide features a close-up, slightly blurred image of a judge's hand holding a wooden gavel. The gavel is positioned vertically, with the head resting on a surface. The lighting is soft, highlighting the texture of the wood and the fabric of the judge's sleeve. The overall color palette is muted, with shades of brown, tan, and grey.

# **Political and Campaign Activities for Judges**

**Superior Court Judges'  
Fall Conference 2009**

# Political Activities

All judges

“... should resign the judge’s judicial office prior to becoming a candidate either in a party primary or in a general election for a non-judicial office”

Canon 7B(5)

# Political Activities

All judges

May identify himself/herself as a member of a political party.

Canon 7B(3)

# Political Activities

All judges

May make a financial contribution to a political party or organization.

Canon 7B(3)

# Political Activities

All judges

**May attend, preside over & speak at**

- Political party meetings & conventions
- Political organization meetings
- Campaign events including fundraisers for individual candidates

Canon 7B(1)

# Political Activities

All judges

**May** serve as a

- Political party delegate
- Political party leader or officer

Canons 7B(6)

# Political Activities

All judges

May ***not*** personally make financial contributions or loans to any individual seeking election to office except as part of a joint judicial campaign.

Canon 7B(3)



# Political Activities

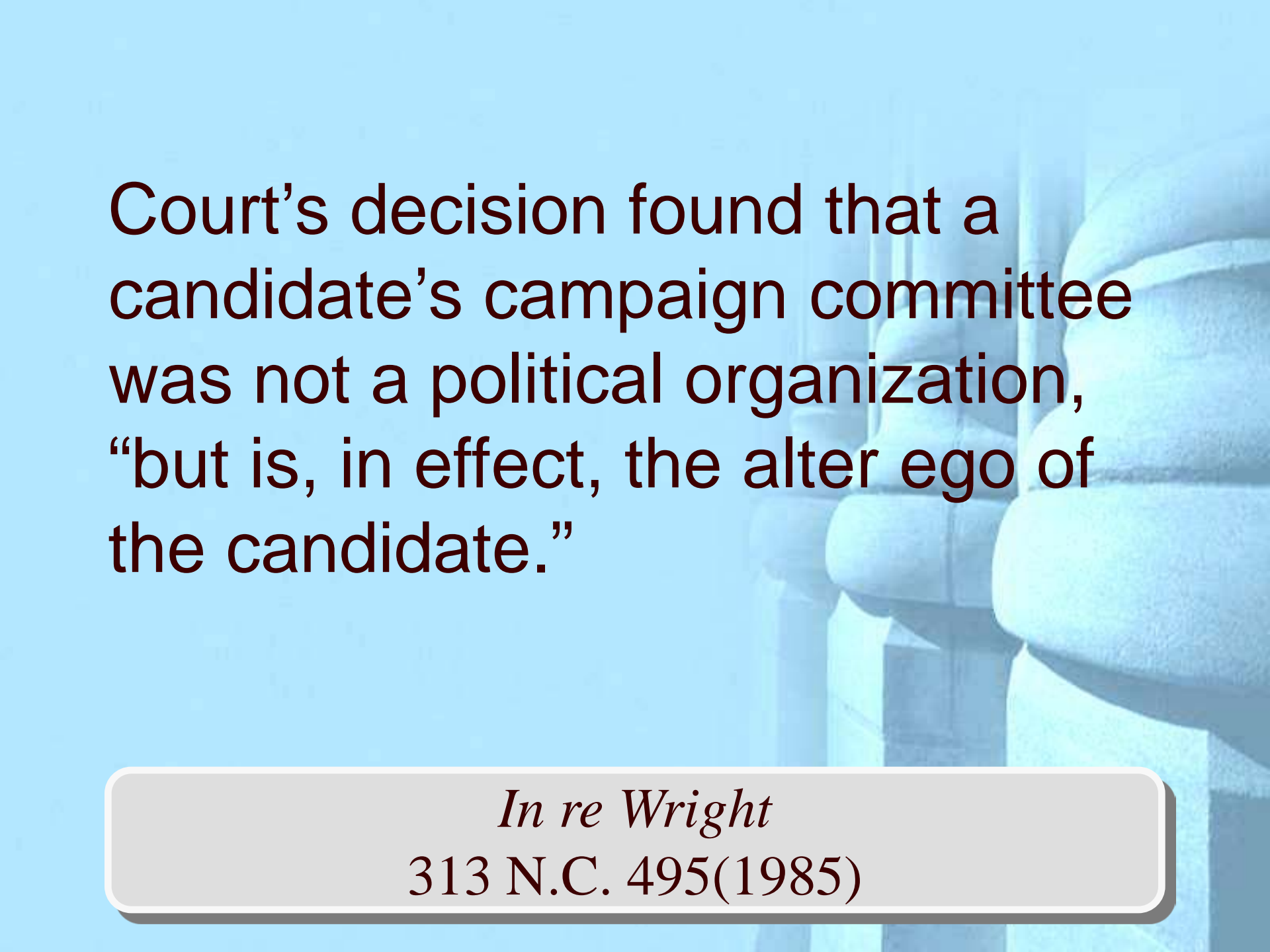
## Campaign Contributions

Judge argued his contributions to candidates' campaign committees were contributions to political organizations, not individual candidates.

Case study

*In re Wright*  
313 N.C. 495(1985)





Court's decision found that a candidate's campaign committee was not a political organization, "but is, in effect, the alter ego of the candidate."

*In re Wright*  
313 N.C. 495(1985)

# Political Activities

All Judges

## **May not**

- Pay more than the reasonable cost of food and beverages at a fund raising event for a candidate or group of candidates.

Canon 7B(3)

# Political Activities

All Judges

## **May not**

- Use official court letterhead for a letter recommending an individual for appointment to a judgeship, unless requested by the appointing authority.

Canon 2B

# Political Activities

All Judges

## **May not**

- Solicit funds for a political party, organization or individual, other than himself/herself
- Be listed as a sponsor for a fund raising event

Canons 7C(1), 4C, 5B(2)

# Political Activities

## Family Members

A judge's spouse and other family members are permitted to engage in political activity.

Canon 7D

# Campaign Activities

A judge becomes a candidate when:

1. Makes a public declaration of candidacy
2. Declares or files as a candidate with the appropriate election authority

Canon 7A(1)



# Campaign Activities

A judge becomes a candidate when:

- Authorizes solicitation or acceptance of contributions or public support
- Sends a letter of intent to the Judicial Standards Commission Chair

Canon 7A(1)



# Campaign Activities

## Candidate Judges

### **May**

Endorse any individual seeking election to any office regardless of whether the candidate judge has any campaign opposition

Canon 7B(2)

# Campaign Activities

## Candidate Judges

For his/her own campaign **May**

- Personally solicit contributions
- Personally solicit support
- Serve as treasurer of own campaign

Canon 7B(4)

# Campaign Activities

## Candidate Judges

**May**

Conduct a joint campaign with other judicial candidates, including the solicitation of funds and support

Canon 7B(3)

# Campaign Activities

## Candidate Judges

**May** respond to special interest group surveys provided the responses

- Promotes public confidence in the integrity and impartiality of the judiciary

Canons 2A 2B

- Do not convey the impression that the group is in a special position to influence the judge
- Do not cast substantial doubt on the judge's capacity to decide impartially any issue that may come before him/her

Canons 2A 2B

# Campaign Speech

## Candidate Judges

### **May not**

Knowingly misrepresent his/her identity, qualifications, present position, or other fact nor that of opponent

Canons 2A & 7C(3)



# Campaign Speech

## Candidate Judges

### **May not**

Make statements which cast doubt on the judge's capacity to decide impartially any issue that may come before the judge

Canons 2A & 7C(3)



# Campaign Activities

## Candidate Judges

### **May not**

Solicit campaign contributions and support from parties and attorneys appearing before the judge. All campaign activity should occur away from the courthouse.

Canons 1, 2A and 3A(1)

# Campaign Activities

## Candidate Judges

### **May not**

Request public officials/employees subject to the judge's direction or control to do for the judge what he/she cannot do himself/herself.

Canon 3B(2)

# Campaign Activities

## Candidate Judges

### **May not**

- Use or permit use of contributions for private benefit of candidate or others
- Donate unused campaign funds to any other candidates campaign

Canons 1, 2A, 2B and 7B(3)

# Disqualification Issues

## Candidate Judges

### **Should disqualify in matters w/**

- Campaign manager or treasurer
- Election opponent
- Opponent's campaign manager or treasurer

Canons 3C(1) 3D

# Disqualification Issues

## Candidate Judges

**Should disqualify in matters w/**

Law partner or associate of the judge's opponent if the individual provides public support or if the judge is actually biased.

Canons 3C(1) 3D

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