



COMMONWEALTH OF KENTUCKY
ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY

ADMINISTRATIVE OFFICE OF THE COURTS
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CIRCUIT COURT

MICHAEL W. HARROD
DISTRICT COURT

JUDICIAL ETHICS OPINION JE-112

September 1, 2006

QUESTION: Is it proper for a judicial candidate to personally telephone a potential donor, request his support, and then hand the phone to a committee fundraiser who then solicits a donation?

ANSWER: No. One of the main reasons for Canon 5B(2) is to prevent donors from feeling pressured by individual judges to contribute to their campaigns. Preventing this "political pressure" is one of the main ways the integrity and impartiality of the judiciary as a whole is preserved.

This question was raised by a judicial candidate regarding a fund-raising method being recommended by professional fund-raisers. The process is simple: The candidate calls a potential donor and talks to him seeking support. Then the candidate says: "Would you mind speaking with one of my campaign people?" The phone is then handed to a committee fund-raiser who solicits a campaign contribution.

Unanimously, the Judicial Ethics Committee agrees that this fund-raising method violates the main reason for the language of Canon 5B(2). Separating the judicial candidate from the fund-raising process preserves, to the greatest extent possible, the integrity and impartiality of the judiciary in a system where judges are elected.

Delegating the fund-raising function to the campaign committee serves to erect a wall between the candidate and the donor.

Sincerely,

Arnold Taylor, Esq.
Chair

The Ethics Committee of the Kentucky Judiciary

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September 1, 2006

Page 2

cc: Donald H. Combs, Esq.
The Honorable Laurance B. VanMeter, Judge
The Honorable Ann O'Malley Shake, Judge
The Honorable Michael Harrod, Judge
Jean Collier, Esq.