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**JUDICIAL ETHICS COMMITTEE**  
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JUDGE JEAN CHENAULT LOGUE  
CIRCUIT COURT

JUDGE JEFFREY SCOTT LAWLESS  
DISTRICT COURT

**FORMAL  
JUDICIAL ETHICS OPINION JE-125**

February 18, 2014

This opinion addresses the following question:

WHAT IS THE DEFINITION OF THE PHRASE, "IN PERSON," AS USED IN  
CANON 5B(2)?

Answer: A majority of the Committee believes that a solicitation "in person" occurs when any judge or judicial candidate himself or herself solicits a contribution from a specific individual, in any form of communication that is limited to that specific individual.

Canon 5B(2) contains the following prohibition:

A judge or a candidate for judicial office shall not solicit  
campaign funds in person.

The Committee has received several inquiries about the definition of "in person" and publishes this opinion so all judges and candidates are aware of its opinion. The Committee understands the Canon to intend that no judge or judicial candidate be able to exercise undue influence on prospective contributors by reason of his or her judicial position or prospective office.

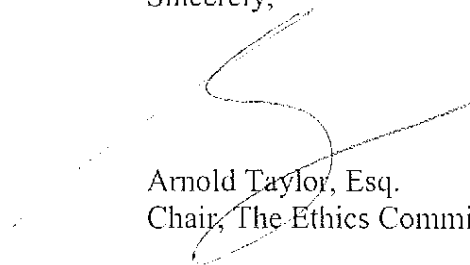
Thus, a majority of the Committee understand the quoted sentence to mean that for the purpose of soliciting a campaign contribution, a judge or candidate may not speak directly to an individual potential donor, may not sign a letter directed to an individual potential donor, may not talk on the telephone to an individual prospective donor, and may not send an email or text message to an individual prospective donor. This interpretation does not preclude such actions directed toward groups of persons.

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One member of the Committee is of the opinion that the foregoing interpretation is overbroad, and that "in person" should be construed as prohibiting only "face to face" solicitations.

Finally, please be aware that opinions issued by or on behalf of the Committee are restricted to the content and scope of the Canons of Judicial Ethics and legal authority interpreting those Canons. The fact situation on which an opinion is based may be affected by other laws or regulations. Persons contacting the Judicial Ethics Committee are strongly encouraged to seek counsel of their own choosing to determine any unintended legal consequences of any opinion given by the Committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Taylor", written over a faint, circular stamp or watermark.

Arnold Taylor, Esq.  
Chair, The Ethics Committee of the Kentucky Judiciary

cc: Donald H. Combs, Esq.  
The Honorable Jeff Taylor, Judge  
The Honorable Jean Chenault Logue, Judge  
The Honorable Jeffrey Scott Lawless, Judge  
Jean Collier, Esq.