



COMMONWEALTH OF KENTUCKY  
**ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY**

ADMINISTRATIVE OFFICE OF THE COURTS  
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FRANKFORT, KENTUCKY 40601-9230

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COURT OF APPEALS

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**ANN O'MALLEY SHAKE**  
CIRCUIT COURT

**MICHAEL W. HARROD**  
DISTRICT COURT

**JUDICIAL ETHICS OPINION JE-114**

October 2, 2006

QUESTION 1: May a judicial candidate's campaign committee accept unsolicited contributions from political parties?

ANSWER 1: Yes. While a judicial candidate should be careful to avoid giving the appearance that he or she is affiliated with one political party or the other, nothing in Canon 5 prohibits a candidate's committee from accepting unsolicited contributions from a political party.

QUESTION 2: May a judicial candidate distribute yard signs and other campaign literature to political parties and public officials who request them?

ANSWER 2: Yes. While a judicial candidate should be careful to avoid giving the appearance of soliciting a public endorsement, nothing in Canon 5 prohibits a candidate's campaign committee from distributing campaign literature to various political parties and public officials who request them in the hope the materials will be distributed.

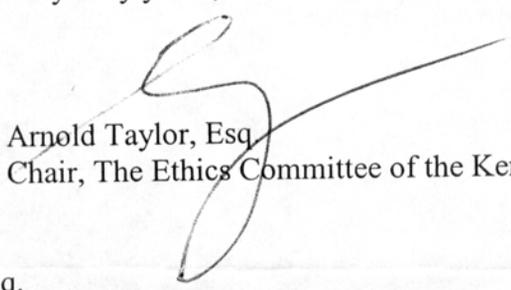
Kentucky Constitution Section 117 mandates that all judicial elections shall be nonpartisan. The Judicial Code of Ethics, however, does not apply to persons who are not judges and judicial candidates. While a judicial candidate is charged with the duty of maintaining his or her campaign's nonpartisan character, both by the Kentucky Constitution and by the specific details of Canon 5, neither the Code nor the Constitution is violated when political parties make unsolicited donations to a candidate's race or when public officials request a judicial candidate's campaign literature, and a candidate may distribute same in the hopes that the materials will be made available to the public.

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Very truly yours,



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Chair, The Ethics Committee of the Kentucky Judiciary

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