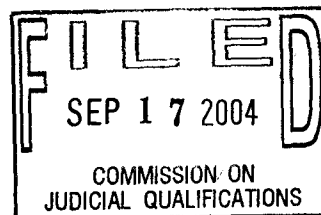




The Supreme Court of Kansas

KANSAS JUDICIAL CENTER
301 S.W. 10th Ave.
Topeka, Kansas 66612-1507



JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 122 September 17, 2004


A judge in an elective district inquires whether it is permissible under the Rules Relating to Judicial Conduct for the judge to attend political gatherings. We answer this query in the affirmative.

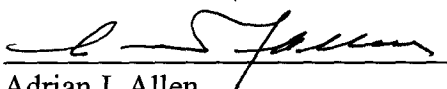
Rule 5A(1)(d) (2003 Kan. Ct. R. Annot. 536) provides: "All judges . . . shall not . . . attend political gatherings . . ."

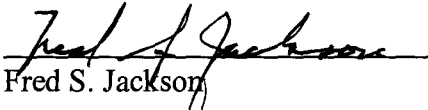
On the other hand, Rule 5C(1)(a)(i) (2003 Kan. Ct. R. Annot. 539) provides in relevant part that "a judge . . . subject to public election may . . . at any time . . . attend political gatherings . . ."

The latter rule is specific, and thus controls over the general provision of the former. Thus a judge who must run for office on a partisan ticket may attend political meetings at any time.

The judge also inquires whether a "calling tree" to area citizens would be appropriate. We construe this as a series of telephone calls by a candidate's supporters, urging people to vote for the judge. In our view, Canon 5C, (2003 Kan. Ct. R. Annot. 539), in substance, would permit such campaign activity.


Robert H. Miller, Chairman


Adrian J. Allen


Fred S. Jackson