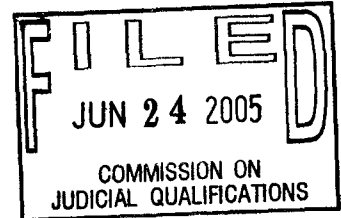




The Supreme Court of Kansas

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



JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 128 June 24, 2005

A candidate for judicial office (district magistrate judge) asks if a judge may write a letter to the District Judicial Nominating Commission formed to select a magistrate judge (see K.S.A. 20-2901 et seq. and K.S.A. 2004 Supp. 20-2914, 2915) concerning the qualifications of a candidate.

Canon 5A(1)(b), 2004 Kan. Ct. R. Annot. 558, provides that:

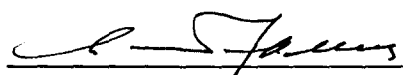
“A. All Judges and Candidates.

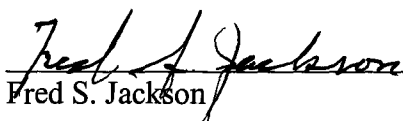
(1) a judge shall not:

(b) publicly endorse or publicly oppose another candidate for public office;”

In this case the Commission is the appointing authority; it has the final word on this judicial appointment. As we said in Opinion JE 27, “we believe the proposed letter of endorsement amounts to publicly endorsing a candidate for public office” and is thus specifically prohibited by Canon 5(A)(1)(b), 2004 Kan. Ct. R. Annot. 558.


Robert H. Miller, Chairman


Adrian J. Allen


Fred S. Jackson