



The Supreme Court
of Kansas

Kansas Judicial Center
Topeka, Kansas 66612-1507

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CLERK APPELLATE COURTS

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE-63

July 1, 1996

A candidate for the office of District Judge in an elective judicial district has held the office of Precinct Committeeman, having been elected to that position in the 1994 elections. The candidate has resigned his office as Precinct Committeeman, but poses the following question:

Question: Is the position of Precinct Committeeman "an office in a political organization" within the meaning of 1995 Kan. Ct. R. Annot. 416, Canon 5 A. (1) (a)?

Commentary: The pertinent portion of the rule reads as follows:

Canon 5

A Judge or Judicial Candidate Shall Refrain From Inappropriate Political Activity

A. All Judges and Candidates.

(1) Except as authorized in Section 5B(2), 5C(1) and 5C(3), a judge or a candidate for election or appointment to judicial office shall not

(a) act as a leader or hold an office in a political organization.

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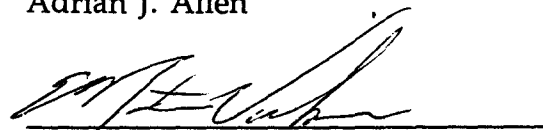
Under the TERMINOLOGY Section of the Code of Judicial Conduct, 1995 Kan. Ct. R. Annot. 400, political organization is defined as follows:

"Political Organization" denotes a political party or other group, the principal purpose of which is to further the election or appointment of candidates for political office. See Section 5A(1), 5B(2) and 5C(1).

Answer: Political parties exist for the principal purpose of furthering the election of candidates for political office. One function of Precinct Committeemen and Committeewomen is to further the support and secure the election of candidates within their precinct. Committeemen and Committeewomen are elected by the members of their respective political parties at the primary election each year (K.S.A. 25-3801) and as such they are entitled to notice, and to attend and vote at conventions called to fill vacancies within their counties or districts. K.S.A. 25-3902. We conclude that Precinct Committeemen and Committeewomen hold office in a political organization, and the Judges and Candidates for Judicial Office may not serve as Precinct Committeemen or Committeewomen.


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