



JUDICIAL INVESTIGATION COMMISSION

City Center East - Suite 1200 A
4700 MacCorkle Ave., SE
Charleston, West Virginia 25304
(304) 558-0169 • FAX (304) 558-0831

August 28, 2019

Dear Judicial Candidate/Judge:

This letter is to advise you that as a judicial candidate in the 2020 election or sitting judge you are bound by Canon 4, Rules 4.1 through 4.5 of the West Virginia Code of Judicial Conduct ("WVCJC"). Application I(B) states in part that "[a]ll judicial candidates for judicial office shall comply with the applicable provisions of this Code." The Code defines "judicial candidate" as:

[A]ny person, including a sitting judge, who is seeking selection for or retention in judicial office by election or appointment. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office.

In an effort to assist those running for judicial office or sitting judges who may have election questions, Teresa Tarr, Chief Judicial Counsel, has worked tirelessly to compile the attached 2020 Campaign Handbook which covers Canon 4 in detail. The JIC formally approved the Campaign Handbook at its August 23, 2019 meeting and recognized and thanked Ms. Tarr for her continuing efforts on behalf of our state judiciary. Additional copies of the Handbook may be found on the internet at the JIC website, the Supreme Court website or the West Virginia Secretary of State's ("WVSOS") website. For more information on becoming a candidate and managing campaign finances, candidates should contact the Election Division of WVSOS at (304) 558-6000 or 1-866-767-8683 or by email at Elections@wvsos.gov. You may also obtain their *2020 Guide for Running for Office in West Virginia* at <https://sos.wv.gov/FormSearch/Elections/Informational/Running%20for%20Office.pdf>.

The JIC encourages all judicial candidates and judges to review and familiarize yourself with the Campaign Handbook, the applicable Code provisions and Advisory Opinions. Not only are you responsible for your conduct during the campaign, but judicial candidates are also answerable for the comportment of your campaign committees. Therefore, judicial candidates should go over pertinent information with your committee members to ensure that they do not violate any provisions of the Code. See WVCJC Rules 4.1(B), 4.2(A)(3), (4), and 4.4. Judicial Candidates may also want to read *In the Matter of Callaghan*, 238 W. Va. 495, 796 S.E.2d 694 (2017) in its entirety for a good outline of what constitutes acceptable campaign advertising.

The JIC is also happy to answer any questions judicial candidates may have concerning your campaign or judges who want to inquire about what, if any, involvement they may have in

the 2020 election. Please feel free to contact our Office at the number listed above should you have any questions, comments, concerns or desire additional information.

Sincerely,

A handwritten signature in blue ink that reads "Alan D. Moats". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

The Honorable Alan D. Moats,
Judge of the 19th Judicial Circuit and
Chair of the Judicial Investigation Commission

ADM/adm