



JUDICIAL INVESTIGATION COMMISSION

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June 8, 2000
JIC Advisory Opinion 2000-26

Dear Magistrate :

You have recently asked the Judicial Investigation Commission for an advisory opinion. In your letter you asked that if your assistant is a candidate for the office of magistrate, are you as a magistrate allowed to make telephone calls to voters on her behalf asking them to support her in an upcoming election.

To address your question the Commission reviewed Canon 5A(1)(b) of the Code of Judicial Conduct. That section of Canon 5 states 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 Sections 5B(2), 5C(1), and 5C(3), a judge or a candidate for election or appointment to judicial office shall not:

b. publicly endorse or publicly oppose another candidate for public office; . . .

Based on the plain language contained in this section of Canon 5 it is the opinion of the Commission that you **may not** telephone voters on behalf of your assistant asking the voters to support her in an upcoming election. If there is any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,


John W. Bennett, Chairman

JWB:nb