



THE STATE BAR OF CALIFORNIA

180 Howard Street, San Francisco, California 94105-1617



Commission on Judicial Performance
455 Golden Gate Avenue, Suite 14400
San Francisco, CA 94102-3660

March 14, 2018

Dear Judicial Candidate:

This is to inform you of the regulations applicable to judicial campaigns and the agencies responsible for their enforcement. Canon 5 of the California Code of Judicial Ethics (“A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary”) governs judicial campaign activities. Incumbent judges are subject to canon 5, as well as other provisions of the code, including canon 3E(1), (2) & (3)(a), and Code of Civil Procedure section 170.1(a)(9), which relate to disqualification and disclosure obligations during a judicial campaign. Rule 1-700 of the State Bar’s Rules of Professional Conduct requires a member of the State Bar who is a candidate for judicial office in California to comply with canon 5. The Code of Judicial Ethics is available at http://www.courts.ca.gov/documents/ca_code_judicial_ethics.pdf.

Canon 5 requires candidates for judicial office to complete a judicial campaign ethics course approved by the Supreme Court no earlier than one year before or no later than 60 days after the filing of a declaration of intention by the candidate, the formation of a campaign committee, or the receipt of any campaign contribution, whichever is earliest. The online judicial campaign ethics course can be accessed at <http://www2.courtinfo.ca.gov/protem/courses/judcampeth/>.

Canon 5 also requires candidates for judicial office to comply with all applicable election, election campaign, and election campaign fundraising laws and regulations. This includes compliance with various provisions of the Political Reform Act. Candidates for judicial office may be subject to fines, penalties or other action by the Fair Political Practices Commission for violations of the Act. Incumbent judges and successful candidates for judicial office also may be subject to discipline by the Commission on Judicial Performance for violations of the Code of Judicial Ethics, including a failure to comply with the Political Reform Act. Attorney candidates for judicial office who are not elected judges may be subject to discipline by the State Bar for violations of rule 1-700 of the Rules of Professional Conduct and canon 5 of the Code of Judicial Ethics, including a failure to comply with the Political Reform Act.

The Supreme Court of California has appointed a judicial ethics advisory committee that answers questions from judicial officers, attorney candidates, and the public about political campaign conduct under the Code of Judicial Ethics. The Committee on Judicial Ethics Opinions (CJEO) has delegated Supreme Court authority to issue formal and informal advisory opinions and to provide oral advice to judicial candidates. CJEO may be reached for an opinion or advice at judicial.ethics@jud.ca.gov or toll free at 855-854-5366. All of CJEO’s published opinions and past advice to judicial candidates may be found at www.JudicialEthicsOpinions.ca.gov.

Joint Letter to Judicial Candidates

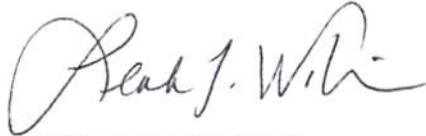
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The California Judges Association (CJA) is a private professional organization that also answers ethics questions from incumbent judges and non-member attorney candidates for judicial office. Judicial candidates may telephone the CJA office at 916-239-4068 or toll free at 866-432-1CJA (1252) for referral. You may obtain a copy of CJA's current Judicial Elections Handbook by contacting CJA.

The Fair Political Practices Commission (FPPC) also provides technical assistance to candidates seeking to comply with the provisions of the Political Reform Act and related regulations. FPPC technical assistance can be reached by telephone at 866-ASK-FPPC (275-3772) and by email at advice@fppc.ca.gov.

We hope that this information will assist you in conducting your campaign.



LEAH T. WILSON
Executive Director
State Bar of California



GREGORY DRESSER
Director-Chief Counsel
Commission on Judicial Performance