Judicial Ethics Advisory Committee

MEMBERS:

Hon. Edwin Alderson
Municipal Judge Retired

Prof. Howard W. Brill

Hon. John Cole
Circuit Judge Retired

January 19, 2016

Joe Serebrov, Candidate
Attorney at Law
213 West 7th Street
Sheridan, AR 72150

RE: JEAC Opinion #2015-03

Dear Candidate Serebrov:

The Judicial Discipline & Disability Commission received your request of November 30, 2015 for a JEAC Advisory Opinion. Your question to the Committee is:

> *"May a candidate for judicial office accept a campaign contribution from either a partisan political organization or a PAC of a partisan political organization?"*

Cannon 4 of the Arkansas Code of Judicial Conduct states "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."

Rule 4.1 (A) Except as permitted . . . a judge or judicial candidate shall not . . . (6) publically identify himself or herself as a candidate of a political organization; (7) seek, accept, or use endorsements from a political organization; (8) personally solicit or accept campaign contributions other than through a campaign committee authorized by Rule 4.4 . . .

Rule 4.4 allows campaign committees to solicit and accept only such campaign contributions as are permitted by state law. The comment under Rule 4.4 provides the candidate should, as much as possible, not be aware of those who have contributed to the campaign.

After considering the above as applied to your question, it is the opinion of JEAC that the committee working on behalf of a candidate seeking judicial office may accept a contribution from partisan political organizations or a PACs of such organizations. The activity is not an endorsement as described in Rule 4.2 (B) (5) and does not constitute any other prohibited conduct.

Cordially,

John Cole
For the Committee

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