

# Supreme Court of Kentucky

IN RE:  
ORDER AMENDING  
RULES OF THE SUPREME COURT (SCR)

2013-04

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The following rule amendment shall become effective upon entry of this order.

## **SCR 4.300 Kentucky Code of Judicial Conduct**

### **CANON 5: A JUDGE OR JUDICIAL CANDIDATE SHALL REFRAIN FROM INAPPROPRIATE POLITICAL ACTIVITY**

The amendments to subsections (1) and (2) and the Commentary of section (A) and subsection (2) of section (B) of CANON 5 of SCR 4.300 shall read:

#### **A. Political Conduct in General.**

(1) Except as permitted by law, a judge or a candidate for election to judicial office shall not:

(a) campaign as a member of a political organization;

(b) act as a leader or hold any office in a political organization;

(c) make speeches for or against a political organization or candidate or publicly endorse or oppose a candidate for public office;

(d) solicit funds for or pay an assessment or make a contribution to a political organization or candidate, except as authorized in subsection A(2);

#### **Commentary**

A judge or a candidate for election to judicial office retains the right to participate in the political process as a voter. A judge or a candidate for election to judicial office may publicly affiliate with a political organization but may not campaign as a member of a political organization.

Where false information concerning a judicial candidate is made public, a judge or candidate having knowledge of the facts is not prohibited by Section 5A(1) from making the facts public.

Section 5A(1) does not prohibit a judge or candidate from privately expressing his or her views on judicial candidates or other candidates for public office.

(2) A judge or a candidate for election to judicial office may purchase tickets to political gatherings for the judge or candidate and one guest, may attend political gatherings and may speak to such gatherings on the judge's or candidate's own behalf.

B. Campaign Conduct.

(2) A judge or a candidate for judicial office shall not solicit campaign funds in person. A judge or a candidate for judicial office may establish committees of responsible persons to secure and manage the expenditure of funds for the campaign and to obtain public statements of support for the candidacy. A candidate's committees may solicit funds for the campaign no earlier than 180 days before a primary election. A candidate's committees may not solicit funds after a general election (See KRS 121.150). A candidate shall not use or permit the use of campaign contributions for the private benefit of the candidate or a member of the candidate's family

Minton, C.J.; Abramson, Cunningham, Noble, Scott and Venters, JJ., sitting.  
All concur.

ENTERED this the 18<sup>th</sup> day of February, 2013.

  
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CHIEF JUSTICE JOHN D. MINTON, JR.