



STATE OF NEVADA
STANDING COMMITTEE ON JUDICIAL
ETHICS AND ELECTION PRACTICES

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CLERK OF SUPREME COURT

BY DEPUTY CLERK

PROPRIETY OF A JUDICIAL CANDIDATE
ANNOUNCING A CAMPAIGN KICKOFF
PARTY PRIOR TO THE TIME FRAME
PRESCRIBED IN NEVADA CODE OF
JUDICIAL CONDUCT

than 90 days after the last election
in which the candidate
participates during the election
year.”

Issue

While the commentary to Canon 5C(2)
does not specifically address the “240 day rule”,
it states:

May a candidate for judicial office send
out mailings announcing an upcoming campaign
event prior to the commencement of the 240 day
judicial campaign season established in Canon
5C(2) of the Nevada Code of Judicial Ethics?

“A candidate and members of the
candidate’s campaign committees
must exercise a high degree of
ethical behavior in the solicitation
and acceptance of campaign
contributions, and must especially
take great care in avoiding
coercion or the appearance of
coercion in the solicitation and
acceptance of such
contributions.”

Answer: No.

Facts

An inquiry asks if it is appropriate for a
judicial candidate to announce a campaign
kickoff party or another type of initial campaign
event before the legal start of the campaign
season to ask supporters to save the date on their
calendars.

Campaign events, even kickoff events,
are held not only to introduce the candidate to
committed and potential new voters, but to solicit
and accept campaign contributions. The
committee concluded the language of the statute
is clear on its face. While an early “save the
date” notice is not specifically addressed in the
Canon, such an event will impact the candidate’s
campaign and fund raising efforts and,
potentially, similar efforts of opponents. The
committee concluded the plain meaning of the
Canon prohibits such activities pursued in
anticipation of the start of a campaign for judicial
office.

Discussion

The Nevada Code of Judicial Conduct
sets forth the applicable standards from which
judges are provided guidance for their conduct
during campaigns and while serving on the
bench.

Conclusion

Canon 5 states, “A judge or judicial
candidate shall refrain from inappropriate
political activities.” Canon 5C(2) provides:

The applicable Judicial Canon 5C(2) is
clear on its face. It states candidates may not
solicit contributions and public support earlier
than 240 days before the primary election.
Announcing a future date for a campaign kickoff

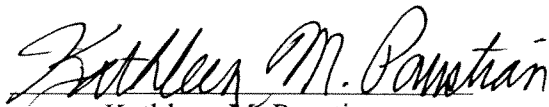
“A candidate and a candidate’s
committees may solicit
contributions and public support
for the candidate’s campaign no
earlier than 240 days before the
primary election, and no later

party, asking supporters and potential contributors to save the date on their calendar and other such activities would violate the plain and clear language in the Canon.

References

Nevada Code of Judicial Conduct, Canon 5C(2).

This opinion is issued by the Standing Committee on Judicial Ethics and Election Practices. It is advisory only. It is not binding upon the courts, the State Bar of Nevada, the Nevada Commission on Judicial Discipline, any person or tribunal charged with regulatory responsibilities, any member of the Nevada judiciary, or any person or entity which requested the opinion.



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