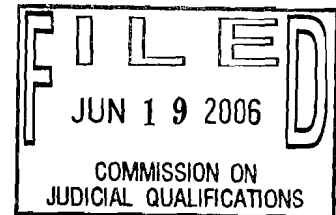




# The Supreme Court of Kansas

KANSAS JUDICIAL CENTER  
301 S.W. 10<sup>th</sup> Ave.  
Topeka, Kansas 66612-1507



## JUDICIAL ETHICS ADVISORY PANEL

### Judicial Ethics Opinion JE 141 June 19, 2006

A sitting judge plans to apply for nomination as a district judge in a non-partisan district. The judge asks whether a judge who is seeking a district court appointment may ask an attorney (who has appeared or may appear before the judge) to submit a letter of support to the nominating commission.

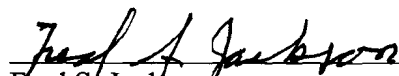
The application form adopted by the particular nominating commission involved requires the form to be returned with the following included:

1. The names of two persons who can discuss the applicant's general character and background.
2. The names of three other persons who can discuss the applicant's professional competence and qualifications for a judicial position.
3. The names of attorneys involved in the applicant's three most recent cases in which the applicant did significant work.
4. Current judges should list the three most recent trials over which the judge presided.
5. Not more than 10 letters of support may be submitted.

The application form does not require the applicant to ask attorneys to write letters of support. A judge should not do so. Such an act would not "promote public confidence in the integrity and impartiality of the judiciary." Canon 2A (2005 Kan. Ct. R. Annot. 559.)

  
Robert H. Miller, Chairman

  
Adrian J. Allen

  
Fred S. Jackson

**NOTE:** The Commission on Judicial Qualifications respectfully disagrees with the Panel's conclusion in JE 141. Canon 5B(2)(a)(ii) states that a candidate for appointment to judicial office may "seek support or endorsement for the appointment from organizations that regularly make recommendations for reappointment or appointment to the office, and from individuals to the extent requested or required by those specified in Section 5B(2)(a) . . . ." The Commission is not bound by advisory opinions.

Note Added January 24, 2007