



The Supreme Court of Kansas

Kansas Judicial Center

Topeka, Kansas 66612-1507



JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion IE 80

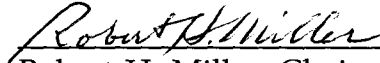
February 18, 1998

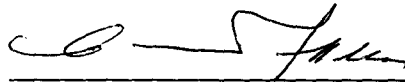
QUESTION 1: Is it permissible for a district judge to serve as an officer of the Kansas Bar Association (KBA)?

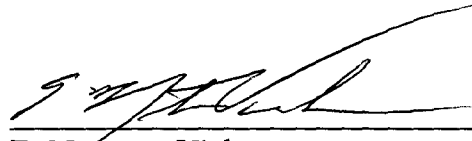
ANSWER: Yes. Canon 4C(3) of the Code of Judicial Conduct provides that a judge may serve as an officer of an organization which is devoted to the improvement of the law, the legal system or the administration of justice. (1997 Kan. Ct. R. Annot. 436). The mission statement of the KBA provides that the KBA is dedicated to advancing the professionalism and legal skills of its members; being of service to lawyers and citizens through advocacy of public policy issues; promoting public understanding of the law and promoting the effective administration of our justice system. Clearly, the KBA is an organization which is dedicated to all of the purposes of an organization in which a judge may serve as an officer under Canon 4C(3). Further, the commentaries to Canon 4B recognize that a judge is in a unique position to contribute to the improvement of the law, the legal system and the administration of justice and should be encouraged to do so, but only to the extent time permits. (1997 Kan. Ct. R. Annot. 435). The judge should always consider the propriety of the judge's activity as a KBA officer under the Code of Judicial Conduct, and avoid activities which are proscribed by the canons.

QUESTION 2: Is it permissible for a judge to be a candidate for an office in the KBA in a contested election?

ANSWER: Yes. The request for this opinion states that the judge will not campaign for the office and will not ask any attorney for a vote. The KBA election is by secret ballot. Under these facts, it is permissible for the judge to be a candidate in a contested election.


Robert H. Miller, Chairman


Adrian J. Allen


E. Newton Vickers