



The Supreme Court of Kansas

Kansas Judicial Center

Topeka, Kansas 66612-1507

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 101

October 13, 2000

QUESTION: A candidate for judicial office in an elective district asks whether a Kansas Standard Offense Report, a complaint filed with the Kansas Human Rights Commission and a petition filed in the district court for protection from abuse, all naming the opponent, may be delivered to the news media by the petitioner.

DISCUSSION: Candidates for judicial office are held to a high standard of accuracy in their public statements and the conduct of their campaigns. See Shaman, Lubet and Alfini, *Judicial Conduct and Ethics* 386 (Lexis Law Publishing 2000) citing *In re Baker*, 218 Kan. 209, 542 P2d 701 (1975).

The copy of the Offense Report provided to us by petitioner is unsigned by the complainant, is unsworn, uncorroborated, and does not name the opponent. The printed form petition for protection from abuse, though signed and sworn, states no specific facts but is entirely conclusory. The complaint filed with the Human Rights Commission was not submitted and we have not seen it. The documents which we have seen and which petitioner proposes to disclose to the media consist of nothing more than unsubstantiated and uncorroborated allegations of questionable accuracy.

Dissemination of the documents during the campaign would give the impression that the opponent committed some crime or other wrong, which has not been established.

ANSWER: We conclude that dissemination of this material of questionable accuracy would violate Canon 5A(3)(a), 1999 Kan. Ct. R. Annot. 482.

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CLERK OF THE SUPREME COURT


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