



# The Supreme Court of Kansas

Kansas Judicial Center

Topeka, Kansas 66612-1507

## JUDICIAL ETHICS ADVISORY PANEL

### Judicial Ethics Opinion JE-56

June 15, 1995

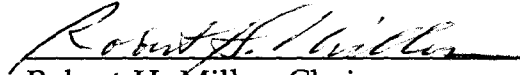
**Question:** May a full-time municipal court judge serve as a member of the local board of education?

**Discussion:** Members of a board of education are chosen by the electors of the district at a non-partisan election. Canon 5A(2) of the Canons of Judicial Ethics provides:

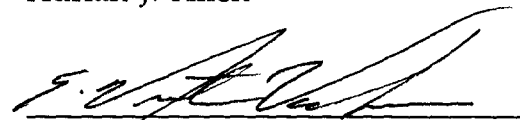
"A judge shall resign from judicial office upon becoming a candidate for a nonjudicial office either in a primary or in a general election . . ."

Prior to the time this Canon becomes effective, the Judge was elected to the Board of Education, and is presently serving both as municipal judge (an appointive office) and as a member of the Board of Education.

**Answer:** We find nothing in the Canons to prohibit him or her from finishing the term of office as a member of the Board. However, under Canon 5A(2), he or she cannot again become a candidate for that office without resigning the judgeship.

  
Robert H. Miller, Chairman

  
Adrian J. Allen

  
E. Newton Vickers