



# The Supreme Court of Kansas

Kansas Judicial Center

Topeka, Kansas 66612-1507

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 87

February 18, 1999

FILED

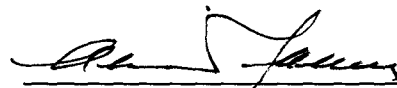
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CAROL G. GREEN  
CLERK OF APPELLATE COURTS



QUESTION: May the judges of the county appear before local civic and religious groups to promote the passage of a sales tax for the construction of a new judicial center?

ANSWER: Yes. Canon 4B permits a judge to speak, write, lecture, teach and participate in other judicial activities concerning the administration of justice. 1998 Kan. Ct. R. Annot. 457. Canon 4C(3) permits judges to assist governmental agencies devoted to the administration of justice in raising funds but does not permit personal participation of judges in public fund raising. 1998 Kan. Ct. R. Annot. 458-59. The construction of a judicial center concerns the administration of justice so the proposed conduct would be proper unless it is prohibited as public fund raising. The purpose of the fund raising prohibition is to avoid the misuse of judicial office. It addresses the dual fears that donors may be intimidated into making contributions or expect favors in return for contributions. *Shaman, Lubet and Alfini, Judicial Conduct and Ethics*, Second Edition, 289. The proposed conduct does not include requests for contributions and therefore does not constitute prohibited public fund raising.

  
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Adrian J. Allen

  
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E. Newton Vickers

Robert H. Miller, Chairman, is not participating