

*Special Committee on Judicial Election Campaign Intervention  
2018 Judicial Elections*

**2018-19 Opinion**

The Special Committee on Judicial Election Campaign Intervention received complaint against Candidate K.

According to the complaint, the Committee for Candidate K is in violation of Canon 5 as a result of a “Meet & Greet” event. The complaint makes the following allegations:

1. Candidate K is taking an active role and inviting people and to which she will be attending.
2. Candidate K’s Committee is advertising this event to a large number of people on Facebook. The advertisement announces that the “Honored Guest” is Governor Phil Bryant.
  - A. This is a candidate aligning with a political figure and then paying money, using campaign funds, to advertise that alignment to the general public.
  - B. Governor Bryant’s office does not seem to have the event on the governor’s calendar. Candidate K’s opponent claims that they had someone confirm this with the Governor’s office. The complaining party alleges that he Committee “is just using the Governor’s name for political gain, to give the appearance that he is supporting this particular candidate, without his consent. [T]his is very misleading and should also be considered a violation of the rules.

The first allegation claims that Candidate K is in violation of Canon 5(C)(2), which provides that “A candidate shall not personally solicit or accept campaign contributions . . . .” The complaint argues that Candidate K violated this Canon “by taking an active role and inviting people and to which she will be attending.” To support this claim, the complaint includes a copy of the Committee’s Facebook page that announces this event. In a comment, a person posted “I saw your signs in Byram . . . !! So excited for you!” Candidate K responded: “Aww thank you! Please pray for me and God’s will be done. Also I hope you and your hubby will come to our Hal and Mals

fundraiser Thursday night. It's a wonderful chance to meet and greet lots of business folks.”

The Special Committee is of the opinion that Candidate K's post was not a violation of the personal solicitation rule under Canon 5(C)(2). This allegation is dismissed.

The second allegation has two parts. First, the complaint alleges that this event is in violation of non-partisan judicial elections. In Opinion 2018-12, the Special Committee opined:

1. Can a judicial candidate have a fundraising event for campaign contributions where the invitation indicates that the Democratic or Republican nominee for Congress will be the special guest?

**Response:** A candidate for judicial office is not allowed to solicit campaign contributions. *See Williams–Yulee v. Fla. Bar*, 135 S.Ct. 1656, 191 L.Ed.2d 570 (2015). Also, Canon 5(C)(2) Mississippi Code of Judicial Conduct provides that:

A candidate shall not personally solicit or accept campaign contributions . . . . A candidate may, however, establish committees of responsible persons to conduct campaigns for the candidate . . . . Such committees may solicit and accept reasonable campaign contributions, manage the expenditure of funds for the candidate's campaign and obtain public statements of support for the candidacy. Such committees are not prohibited from soliciting and accepting reasonable campaign contributions and public support from lawyers.”

The Special Committee finds no rule or law that prohibits a candidate's committee from having a fundraising event that indicates a Democratic or Republican nominee for Congress as the special guest.

Consistent with Opinion 2018-12, the Special Committee is of the opinion that there is no rule or law that prohibits a candidate's committee from having a fundraising event that indicates an elected official as the special guest. This allegation is dismissed.

Second, the complaint alleges that Governor Bryant's office did not give his consent to host this event. The only supporting documentation provided is that “someone called” the governor's office. Without an affidavit as to this information, the Special

Committee does not have sufficient evidence to determine whether this allegation is in fact true. In response, Candidate K provides equally unsubstantiated evidence of a copy of a text that purports to be from Governor Bryant that indicates his consent to attend this event. The Special Committee does not sufficient evidence to support this allegation. This allegation is dismissed.

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This opinion is limited to the scope and authority of the Special Committee under the Mississippi Code of Judicial Conduct.

Any questions should be in writing and directed to:

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