

## Judicial candidates attend seminar on campaign finance and ethics

May 27, 2004

The Special Committee on Judicial Election Campaign Intervention on Thursday conducted a seminar to educate judicial candidates about campaign finance rules and ethics.

About 27 people, including most of the candidates in the four contested Supreme Court races, as well as campaign staff for all of the candidates, attended the presentation in Jackson.

Mississippi Supreme Court Chief Justice James W. Smith Jr. welcomed candidates and called upon them to obey rules of campaign conduct. "I encourage you to please adhere to the rules and none of you will have to find yourself back in front of this group having to explain anything," Chief Justice Smith said.

Chief Justice Smith noted his longstanding support for an appointive appellate judiciary to reduce the influence of money in judicial selection. But he said the creation of the Special Committee on Judicial Election Campaign Intervention has helped curb false or misleading campaign speech in the elective system.

Representatives of the Secretary of State's office talked about campaign contribution limits and financial disclosure requirements.

Lee Nettles, director of the Campaign Finance and Lobbying Division of the Secretary of State's Office, said that individuals and political action committees may give up to \$5,000 to judicial candidates. Corporations may give up to \$1,000.

Leslie Scott, Assistant Secretary of State for Elections, said, "The goal of the campaign finance laws, as far as our office is concerned, is to seek disclosure. The public is entitled to know."

Brant Brantley, executive director of the Commission on Judicial Performance, said judicial elections should be different from other contests. "We want our judicial elections to be run on a little higher plane."

Brantley outlined campaign conduct restrictions in the Code of Judicial Conduct and the evolving body of court decisions that define candidates' First Amendment rights.

As a result of the June 27, 2002, U.S. Supreme Court decision in the case of *Republican Party of Minnesota v. White*, candidates may announce a position on issues. They can't make pledges or promises to vote a particular way.

Brantley said, "Now voters do have an opportunity to learn a good deal more about the candidates."

The Mississippi Supreme Court created the Special Committee on Judicial Election Campaign Intervention as part of an April 2002 revision to the Code of Judicial Conduct. The committee can offer advisory opinions and investigate complaints of judicial campaign conduct.

Brantley urged candidates to seek the opinion of the committee. "It's there to help you as a candidate or campaign manager to work through the questions that you may have and to assure that we have as good and clean a campaign as possible," Brantley said.

If the special committee finds evidence of some campaigning impropriety, it may issue a confidential cease-and-desist request to the candidate. If unethical or unfair campaign practices continue, the committee may issue a public statement about violations.

The special committee is required to act within 10 days of receipt of a complaint, unless it's within the final days of a campaign. If a complaint arises within 10 days of election day, the special committee must act within 36 hours.

Former Supreme Court Justice Fred L. Banks Jr., acting chair of the Special Committee on Judicial Election Campaign Intervention, said, "The committee has been able to respond in the past very quickly."

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