

## **AFFIRMATION REGARDING RESPONSIBLE JUDICIAL CAMPAIGN CONDUCT**

I voluntarily affirm that I will conduct my judicial campaign in accordance with the provisions of this Affirmation:

**WHEREAS**, Canon 5 of the Minnesota Code of Judicial Conduct states broadly that, "[a] judge or judicial candidate shall refrain from political activity inappropriate to judicial office;" and

**WHEREAS**, public confidence in the judiciary is enhanced when candidates for judicial office are scrupulously fair and accurate in the statements that they and/or their campaign committee make in connection with their election campaign; and

**WHEREAS**, Minnesota has a compelling interest in assuring the independence, impartiality and integrity of its judges, and this judicial function is incompatible with a judicial candidate making pledges, promises, or commitments to rule so as to reach a predetermined result in a specific case or class of cases or to treat specific litigants or classes of litigants more or less favorably than the facts or law applicable to their cases requires; and

**WHEREAS**, public confidence in the independence, impartiality and integrity of the judiciary is eroded if judges or candidates for judicial office are perceived to be subject to political influence; and

**WHEREAS**, the judicial role is different from the role of legislators and executive branch officials, even though judges are subject to public election; and

**WHEREAS**, the Minnesota State Bar Association Judicial Election Campaign Conduct Committee ("Committee") is charged with monitoring and commenting on judicial campaign conduct for the purposes of encouraging responsible campaign behavior, assisting voters to reach an informed decision on the candidates for judicial office and supporting appropriate conduct by individuals running for judicial office in Minnesota; and

**WHEREAS**, the appropriate restrictions on the political and campaign activities of candidates for judicial office, including restrictions on campaign speech, do not preclude candidates from conducting meaningful campaigns that provide voters with sufficient information to distinguish between candidates and make informed electoral choices; and

**WHEREAS**, elected judges cannot be viewed as "representatives" in the same sense as nonjudicial officials are commonly regarded; and

**WHEREAS**, the judicial oath requires judges to administer justice to all in a nonpartisan manner; to retain an open mind on issues or matters that may come before them; and to be arbiters of conflicts -- not spokespersons for the varying interests of certain political, geographical, or other constituencies; and

**WHEREAS**, judicial candidates should aspire to an appropriate standard of conduct.

**NOW, THEREFORE:**

1. I agree to familiarize myself with, and to conduct my campaign in accordance with, all applicable state laws, including Canon 5 of the Minnesota Code of Judicial Conduct.
2. I agree to be personally responsible for the content of all statements and campaign materials relating to my judicial campaign issued by me or my campaign committee, including newspaper, radio or television advertising, website or other electronic communication, press releases, brochures, fliers, sample ballots, yard signs, or other printed material.
3. I agree that I and my campaign committee will not make false or misleading statements in my campaign materials. I acknowledge that in some circumstances the omission of relevant information could make an otherwise truthful statement either misleading or unfair.
4. I agree that I will not make public comments about pending or impending court proceedings. I acknowledge that Canon 3 of the Minnesota Code of Judicial Conduct precludes an incumbent judge from commenting on pending cases.
5. I agree that with respect to cases, controversies or issues that are likely to come before the court, I will not announce my views on disputed legal or political issues or make promises or commitments that are inconsistent with the impartial performance of the adjudicative duties of the judicial office, which will result in my disqualification under Canon 3D(1)(e) of the Minnesota Code of Judicial Conduct.
6. I agree that I will publicly disavow any advertisement that announces my views on disputed legal or political issues or makes promises or commitments that are inconsistent with the impartial performance of the adjudicative duties of the judicial office.
7. I agree that I will not identify myself or my opponent or any group of candidates as a member or members of a political organization,<sup>1</sup> except as necessary to vote in an election, and will not attend political gatherings or seek or use endorsements from any political party. I understand that I may speak to gatherings, other than political gatherings, on my own behalf.
8. I agree that I will not personally solicit or personally accept campaign contributions, but I may establish a committee to solicit and accept contributions as described in Canon 5B(2) of the Minnesota Code of Judicial Conduct.

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<sup>1</sup> For the purposes of this Affirmation, a “political organization” is an association of individuals under whose name candidates file for partisan office.

9. I agree to submit copies of this fully executed Affirmation to my campaign committee.

I have read the foregoing Affirmation and I agree to abide by the terms set forth therein. I have also requested those persons managing my campaign to familiarize themselves with this Affirmation and to assist in its implementation.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Candidate's Signature