
2/69 Contributions to judicial campaigns

An inquiry was made by an attorney as to whether it is proper to make campaign contributions to a judge who is seeking re-election to his judicial office.

The committee has considered the provisions of the new Code of Professional Responsibility, including the prohibition of DR 7-110(A) against giving or lending anything of value to a judge or court official if such gift or loan is for the purpose of or is likely to influence his judgment or gain some benefit for the lawyer or his client. But there are provisions in the Code that define a lawyer's task to do his part individually and as a member of the profession to improve the courts, and the point that lawyers generally are more able to appraise the qualifications of judicial candidates than the average non-attorneys, so that they have a special responsibility in aiding in the selection of those who are qualified. See EC 8-6.

However, it is the committee's recommendation that the Board of Governors consider adopting a policy that no lawyer, either alone or with others, shall engage in conduct from which it might reasonably be inferred that the State Bar of Wisconsin, its Board of Governors, or any of its sections or any of its committees favors or endorses any political party or political candidate.

The Code of Judicial Ethics in Rule 8, recognizes the practical fact that in Wisconsin a public solicitation is made for judicial campaign funds. It clearly states that it is preferable that contributions be made to campaign committees other than to such candidate personally under the circumstances.

It is clear that such contributions should be used only for the purpose of financing the campaign.