

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

2018-08 Opinion

The Special Committee on Judicial Election Campaign Intervention received a request for an opinion on the following issue:

Candidate D asked for an opinion on campaign materials. Candidate D is the only candidate who has been working at Youth Court since 2003. She serves in Youth Court as the Guardian ad Litem. Thus, she already knows all the law and procedures. That sets her apart from the other 5 running and thus what we are trying to convey.

Two questions:

1. Is there any issue with the tagline - "Serving in Youth Court since 2003"?
2. Is there any issue calling out "Youth Court"? County Court Place 3 is the official position - but it has historically been "youth court" - and thus very different than any other court in Harrison County.

Canon 5A(3)(d)(iii) of the Code of Judicial Conduct provides that "[a] candidate for judicial office shall not knowingly misrepresent the identity, qualifications, present position or other fact concerning the candidate or an opponent."

Based on the information provided, the Special Committee is of the opinion that there is no violation of the Code of Judicial Conduct by the use of the general phrase – "Serving in Youth Court since 2003" on campaign signs.

According to Mississippi Code Annotated section 43-21-107, "youth court" is a "division of the county court of each county . . . and the county judge shall be the judge of the youth court . . ." Therefore, the Special Committee is aware that the judicial election campaigns for the position of "County Court" may require a discussion of qualifications and discussion of any prior service in "Youth Court." The Special Committee finds no violation in the general use of both "Youth Court" and "County Court" in campaign materials.

Further, in written communications by a candidate and the committee, the Special Committee is of the opinion that Canon 5A(3)(d)(iii) may require a more detailed statement to make sure there is no misrepresentation of "qualifications, present position or other fact concerning the candidate." This opinion is limited to the use of the phrase "Serving in Youth Court since 2003 on campaign signs.

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:

Special Committee on Judicial Election Campaign Intervention

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