



Indiana Judicial Nominating Commission Indiana Commission on Judicial Qualifications

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ADVISORY OPINION

Code of Judicial Conduct
Canon 7

#8-90

The Indiana Commission on Judicial Qualifications issues the following advisory opinion concerning the Code of Judicial Conduct. The views of the Commission are not necessarily those of a majority of the Indiana Supreme Court, the ultimate arbiter of judicial disciplinary issues. Compliance with an opinion of the Commission will be considered by it to be a good faith effort to comply with the Code of Judicial Conduct. The Commission may withdraw any opinion.

ISSUE

The issue is whether a judge or judicial candidate may act as a voter registrar.

ANALYSIS

Judges and judicial candidates frequently are asked to serve as voter registrars. Several have asked whether, in registering voters, they are in violation of the restrictions in the Code of Judicial Conduct against inappropriate political activity.

The Commission members are of the opinion that working as a voter registrar is not, per se, political activity and does not violate the Code. However, a judge must ensure that the activity does not become inappropriately political, thereby implicating the proscriptions in the Code against political activity not specifically authorized, Canon 7A(4), against acting as a leader in a political organization, Canon 7A(1)(a), and against political endorsements, Canon 7A(1)(b). Thus, as a registrar, the judge's role must be non-partisan and solely for the purpose of registering voters regardless of party affiliation. A judge should not lead a party registration drive and must not participate if the activity involves the promotion of a particular ticket or candidate or if the registrars in the party drive select or invite prospective voters according to party identification.

CONCLUSION

A judge or judicial candidate may be a voter registrar pursuant to the restrictions stated in this opinion.