

Thomas W. Bevan
6555 Dean Memorial Parkway
Boston Heights, Ohio 44236
330-650-0088

November 1, 2016

Richard A. Dove, Director
Board of Professional Conduct
The Supreme Court of Ohio
65 South Front Street, 5th Floor
Columbus, Ohio 43215-3431

RECEIVED
11/02/2016
BOARD OF PROFESSIONAL CONDUCT

Inquiry Re: Code of Judicial Conduct Rule 4.1(A)(3)

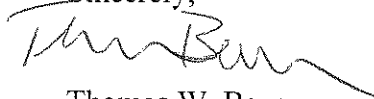
Dear Mr. Dove:

I am making this inquiry on behalf of the Summit County Democratic Party regarding the Code of Judicial Conduct Rule 4.1(A)(3) which explicitly prohibits judges or judicial candidates from “publicly endorsing or opposing a candidate for another public office.”

While I understand that judges and judicial candidates are allowed to attend political events in a neutral capacity, we are seeking clarity as to when conduct arises to the level of a “public endorsement”. For example, does holding another candidate’s political sign at a political rally constitute a “public endorsement”? Does attending another candidate’s political rally in the VIP section with a VIP wristband constitute a “public endorsement”? Does standing in support of another candidate at a public rally constitute a “public endorsement”? Does active participation in another candidate’s political rally while wearing a campaign badge identifying the judicial candidate and his/her elected position constitute a “public endorsement”? These are issues that concern many of our judges and judicial candidates and guidance from the Board of Professional Conduct will be helpful in avoiding any problems going forward.

I am hereby making this inquiry and asking this Board to provide an advisory opinion regarding the extent to which a judge or judicial candidate can participate in another candidate’s political rally. Any guidance the Board can provide would be greatly appreciated.

Sincerely,



Thomas W. Bevan