



Committee on Professional Ethics

Opinion #306 - 10/17/73 (34-73) Topic: Judges; Partisan politics

Digest: A candidate for the office of town justice of a second class town may not campaign beyond the scope of the Code of Judicial Conduct

Judicial Code: Canon 7(B)(1)(c)

QUESTION

Is a candidate for the office of town justice of a town of the second class bound by the Code of Judicial Conduct with regard to manner of campaigning for election in view of the fact that such office also carries the duty of town board membership?

OPINION

Just as a town justice of a second class town is subject to the same restrictions on partisan political activity as all other persons holding judicial office, N.Y. State 137(a) (1971), a candidate for that office must adhere to the standards set forth in the Code of Judicial Conduct and the guidelines set forth in N.Y. State 289 (1973), even though by statute a town justice is a member of the town board. See, Code of Judicial Conduct, Canon 7 (B)(1)(c).
