



OSBA Judicial Election Campaign Advertising Monitoring Committee Clean Campaign Pledge

I agree to conduct my campaign advertising in accordance with the provisions of this Agreement:

WHEREAS, Canon 4 of the Code of Judicial Conduct states broadly that, “a judge or judicial candidate shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary,” and

WHEREAS, more specifically, Canon 4 sets out certain “campaign conduct” and certain “campaign guidelines” which proscribe any false statements and certain misrepresentations during the course of judicial campaigns; and

WHEREAS, the need for a mechanism to dissuade persons from inappropriate advertising is accentuated by the growing trend toward “misleading advertising” in judicial campaigns; and

WHEREAS, the Ohio State Bar Association Judicial Election Advertising Monitoring Committee (the “Committee”) is charged with reviewing judicial advertising, as defined in the Regulations and Procedures for the Committee, in all elections for seats on the Supreme Court of Ohio; and

WHEREAS, the Agreement promulgated by the Committee is not designed nor intended to infringe upon the freedom of expression and/or association of judicial candidates under the First Amendment, United States Constitution; and

WHEREAS, there is no purpose or intention to go beyond the balance struck in Canon 4 between protected and unprotected speech; and

WHEREAS, the foremost concern reflects a widely shared view that judicial elections are in important respects different from elections where a person seeks an executive or legislative office; and

WHEREAS, elected judges cannot be viewed as “representatives” in the same sense as nonjudicial officials are commonly regarded; and

WHEREAS, the judicial oath requires judges to administer justice to all in a nonpartisan manner; to retain an open mind on issues or matters that may come before them; and to be arbiters of conflicts -- not spokespersons for the varying interests of certain political, geographical, or other constituencies; and

WHEREAS, candidates for judicial office should agree not to use and to disavow any advertisements that impugn the integrity of the judicial system, the integrity of a candidate for the Supreme Court, or erode public trust and confidence in the independence and impartiality of the judiciary by verbally or visually attempting to lead voters to believe that a candidate will decide issues or cases in a predetermined manner.

WHEREAS, judicial candidates should aspire to an appropriate standard of conduct.

NOW, THEREFORE:

1. I agree to familiarize myself with, and to conduct my campaign in accordance with, all applicable state laws, including Canon 4 of the Ohio Code of Judicial Conduct.

2. I agree to be personally responsible for the content of all statements and campaign materials relating to my judicial campaign issued by me or my campaign committee, including newspaper, radio or television advertising, website, social media or other electronic communication, news releases, brochures, fliers, sample ballots, yard signs or other printed material.

3. I agree that Canon 4 of the Ohio Code of Judicial Conduct contains minimal rules relating to campaign conduct which prohibit the making or distribution of false statements.

4. I acknowledge that Canon 2 of the Ohio Code of Judicial Conduct precludes an incumbent judge from commenting on pending cases.

5. I agree, based upon my personal examination of judicial advertisements, to publicly disavow advertisements that impugn the integrity of the judicial system, the integrity of a candidate for the Supreme Court, or erode public trust and confidence in the independence and impartiality of the judiciary by verbally or visually attempting to lead voters to believe that a candidate will decide issues or cases in a predetermined manner.

6. I agree to submit copies of this fully executed agreement to my state political party representatives and to my campaign committee.

I have read the foregoing Agreement and I agree to abide by the terms set forth therein. I have also requested those persons managing my campaign to familiarize themselves with this Agreement and to assist in its implementation.