

Standards

Candidates for judicial office in Maryland are asked to pledge to:

1. Abide by the Maryland Code of Judicial Conduct, which prohibits making campaign promises that are inconsistent with an impartial judiciary.
2. Never state views that might appear to compromise impartiality in a case that may come before the court. [Example: "Every dead-beat dad should get a taste of a jail cell."]
3. Communicate in a dignified manner, never knowingly make false or misleading claims about their own qualifications or about the qualifications of other candidates, and refrain from inflammatory statements.
4. Never use a title to imply that they currently hold an office they do not hold.
5. Never suggest that an opponent is not qualified because of race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation or socioeconomic status.
6. Ensure that their visual campaign materials conform to these standards and comport with the dignity and integrity of judicial office. [Example: Using mug shots of an opponent's convicted clients or photos of that client's victims.]
7. Abide by Maryland's election laws governing campaign fundraising and ensure that their fundraising does not undercut the dignity or impartiality required of judicial office.

Questions

Sample questions for judicial candidates:

- Why are you running for judicial office?
- What would you like to accomplish while in office?
- Which groups have endorsed you?
- What are the most challenging obstacles to justice?
- Which recent Maryland court decision has had a major impact on society?
- Which Supreme Court justice do you most admire and why?
- What methods do you believe can improve court procedures in Maryland?
- Have you ever been disciplined by the Maryland Bar Counsel? If so, when, and for what reason?
- What is your opinion on whether courts deal effectively with racial and gender bias?
- Does our judicial system adequately deter frivolous lawsuits? Is reform necessary?



mdjccc.org

It's Simple —
**Judicial
Elections**
Are Different



Maryland Judicial
Campaign Conduct
Committee

Judicial Elections: *Different Standards*



OUR MISSION

The MDJCCC was created in 2006 at the request of Chief Judge Robert M. Bell in order to promote civil conduct in judicial elections. The primary concern: Maintaining the dignity of judicial office and upholding judicial impartiality to which every litigant has a right.

Impartiality. Judicial elections are not like contests for legislative and executive office. In those, candidates announce their views on social issues and then commit to furthering them if elected. Judges should have no such agenda.

The trial judge's duty is to resolve disputes based solely on the law and the facts presented in court. In order to preserve the public's constitutional right to an impartial judiciary, contested judicial elections—and the accompanying debates among judicial candidates—must not impair the ability of those elected to decide cases without bias or prejudice.

Dignity. The partisan, sometimes bare-knuckles, conduct that we tolerate in campaigns for legislative and executive office conflicts with the dignity we count on in our judges.

Exaggerated rhetoric in discussions of political issues, when used in judicial elections, undermines the integrity of the judiciary—even though it is speech protected by the Constitution.

The rule of law promises justice, neutrality and fairness, and judges are symbols of that rule. Therefore, those who aspire to judicial office have a special responsibility to campaign with a dignity that respects the public's reverence for this unique office.

Recent Developments: How did we get here?

The Rule: In 2002, the U.S. Supreme Court in *Republican Party of Minnesota v. White* struck down, on First Amendment grounds, restrictions on candidate speech that prevent judicial candidates from announcing their views on political issues.

Accommodation: Changes to the Maryland Code of Judicial Conduct and Rules of Professional Conduct in 2007 and 2010 deleted the prohibited restrictions.

Consequence: Some judicial contests nationwide have been marked by increased incivility and partisanship. Organizations such as the National Center for State Courts have begun efforts to ensure campaign conduct by judges and judicial aspirants is appropriate to the judicial function.

Oversight: Private, non-governmental efforts in at least 25 states, including Maryland, created new forms of judicial campaign oversight. In Maryland, the MDJCCC has adopted and published campaign standards that reflect existing rules and try to strike a balance between the value of free speech, the interests of voters, and the need for an impartial judiciary.

