

# Nebraska Ethics Advisory Opinion 94-1

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## ***Question Presented--***

*Can a candidate for judgeship seek endorsement from individuals other than those listed on the application?*

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## **Conclusion**

Candidates for appointment to judicial office are permitted to seek support or endorsements from individuals other than, and in addition to, the individuals the nominating commission requests candidates to name in their application papers.

## **Statement of Facts**

A non-judge candidate for a judicial vacancy has inquired:

May a candidate for judicial office “communicate” with the judicial nominating commission considering all the candidates by seeking or consenting to “support or endorsement for the appointment” from individuals other than those from who responses are “requested or required” by the nominating commission?

## **Applicable Code Sections**

§5B (2) (a) (ii).

## **Discussion**

Nebraska Code of Judicial Conduct §§5A, 5B, & 5C (1992) apply to all candidates for appointment to judicial office. See, Application Section. Section 5B (2) (a) (ii) directly answers the question asked and specifically permits the activity described in the question asked.

## **Disclaimer**

*This opinion is advisory only and is based on the specific facts and questions submitted by the person or organization requesting the opinion pursuant to appendix A of the Nebraska Code of Judicial Conduct. Questions concerning ethical matters for judges should be directed to the Ethics Committee chairperson, Hon. Darvid D. Quist, District Judge.*

APPROVED AND ADOPTED  
BY THE COMMITTEE ON JANUARY 6, 1994.

Judges Wright and Hippe not participating.