

1 **RULE 4.6 Definitions**

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3 As used in Canon 4:

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5 (A) “Aggregate” means not only contributions in cash or in-kind made directly to a
6 candidate’s campaign committee, but also all contributions made indirectly with the
7 understanding that they will be used to support the election of a candidate or to oppose the
8 election of the candidate’s opponent.

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10 (B) “Contribution” has the same meaning as in R.C. 3517.01 and includes an in-kind
11 contribution.

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13 (C) “Immediate family” means a spouse or domestic partner or any of the following
14 who are related by blood or marriage to the judicial candidate:

15
16 (1) Parent;

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18 (2) Child;

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20 (3) Brother or sister;

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22 (4) Grandparent;

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24 (5) Grandchild;

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26 (6) Uncle or aunt;

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28 (7) Nephew or niece;

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30 (8) Great-grandparent;

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32 (9) First cousin.

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34 (D) “Independence,” “integrity,” and “impartiality” have the same meaning as in the
35 Terminology section of this code.

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37 (E) “In-kind contribution” has the same meaning as in R.C. 3517.01.

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39 (F) “Judicial candidate” means a person who has made a public announcement of
40 candidacy for judicial office, declared or filed as a candidate for judicial office with the election
41 authority, or authorized the solicitation or receipt of contributions or support for judicial office,
42 whichever occurred first.

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44 (G) “Knowingly” means actual knowledge of the fact in question. A person’s
45 knowledge may be inferred from circumstances.

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47 (H) “Law firm” means a lawyer or lawyers in a law partnership, professional
48 corporation, sole proprietorship, or other association authorized to practice law or lawyers
49 engaged in a private or public legal aid or public defender organization, a legal services
50 organization, the legal department of a corporation or other organization, or the attorney general,
51 prosecuting attorney, law director, or other public office.

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53 (I) “Loan” means an advance of money with an absolute promise to pay, with or
54 without interest, and includes loan guarantees.

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56 (J) “Organization” means any entity or combination of two or more persons, other
57 than a political party, including, but not limited to, a corporation, nonprofit corporation,
58 partnership, limited liability company, association, professional association, continuing
59 association, estate, trust, business trust, political action committee as defined in R.C. 3517.01,
60 law firm, organization affiliated with a political party, labor organization, campaign committee
61 of another candidate for public office, or caucus campaign committee.

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63 (K) “Organization affiliated with a political party” means a combination of two or
64 more persons, other than a political party or an organization, that is identified by its name or
65 association with a national, state, or county political party or expressly promotes the interests,
66 philosophy, or candidates of a political party.

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68 (L) “Political action committee” has the same meaning as in R.C. 3517.01.

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70 (M) “Political party” has the same meaning as in R.C. 3517.01 and includes any
71 national, state, or county political party.

72 73 74 **Comparison to Ohio Code of Judicial Conduct**

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76 Rule 4.6 is analogous to Ohio Canon 7(A). The following definitions in Rule 4.6 have
77 been added to or modified from those contained in Ohio Canon 7(A):

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79 • A definition of “aggregate” has been added based on the definition contained in the
80 Terminology section of the Model Code;
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82 • “Immediate family” has been modified to include a reference to “domestic partner” and
83 specify that the definition includes first cousins only;
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85 • Definitions of “integrity,” “independence,” and “impartiality” have been added to
86 correspond to the Terminology section of the code.
87
88 • “In-kind contribution” has been modified to conform to the statutory definition contained
89 in R.C. 3517.01. See *Disciplinary Counsel v. Spicer* 106 Ohio St.3d 247, 2005-Ohio-
90 4788;
91

- 92 • “Law firm” has been modified to conform to the definition found in Rule 1.0 of the Ohio
93 Rules of Professional Conduct, with the addition of references to lawyers who practice
94 together in a public office.

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Comparison to ABA Model Code of Judicial Conduct

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The Model Code contains no rule analogous to Rule 4.6. The definitions applicable to Model Canon 4 are contained in the Terminology section of the Model Code.