

PROPOSED AMENDMENTS TO THE OHIO CODE OF JUDICIAL CONDUCT

Comments Requested: The Supreme Court of Ohio will accept public comments until April 25, 2018, on the following proposed amendments to the Ohio Code of Judicial Conduct.

Comments on the proposed amendments should be submitted in writing to: John VanNorman, Senior Policy and Research Counsel, Supreme Court of Ohio, 65 South Front Street, 7th Floor, Columbus, Ohio 43215-3431, or LegPol@sc.ohio.gov not later than April 25, 2018. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendments:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1 **OHIO CODE OF JUDICIAL CONDUCT**

2
3 **RULE 4.6 Definitions**

4
5 As used in Canon 4:

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

11
12 (B) "Candidate" means a person who has made a public announcement of
13 candidacy for nonjudicial elective office and has taken or engaged in any public action in
14 furtherance of that candidacy, declared or filed as a candidate for nonjudicial elective
15 office with the election authority, or authorized the solicitation or receipt of contributions
16 or support for nonjudicial elective office, whichever occurred first.

17
18 (C) "Contribution" has the same meaning as in R.C. 3517.01 and includes an
19 in-kind contribution.

20
21 ~~(C)~~(D) "Immediate family" means a spouse or domestic partner or any of the
22 following who are related by blood or marriage to the judicial candidate:

- 23
24 (1) Parent;
25
26 (2) Child;
27
28 (3) Brother or sister;
29
30 (4) Grandparent;
31
32 (5) Grandchild;
33
34 (6) Uncle or aunt;
35
36 (7) Nephew or niece;
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38 (8) Great-grandparent;
39
40 (9) First cousin.

41
42 ~~(D)~~(E) "Domestic partner," "independence," "integrity," "impartiality," "impending,"
43 and "pending" have the same meaning as in the Terminology section of this code.

44
45 ~~(E)~~(F) "In-kind contribution" has the same meaning as in R.C. 3517.01.
46

47 ~~(F)~~(G) “Judicial candidate” means a person who has made a public announcement
48 of candidacy for judicial office and has taken or engaged in any public action in
49 furtherance of that candidacy, declared or filed as a candidate for judicial office with the
50 election authority, or authorized the solicitation or receipt of contributions or support for
51 judicial office, whichever occurred first.

52
53 ~~(G)~~(H) “Knowingly” means actual knowledge of the fact in question. A person’s
54 knowledge may be inferred from circumstances.

55
56 ~~(H)~~(I) “Law firm” means a lawyer or lawyers in a law partnership, professional
57 corporation, sole proprietorship, or other association authorized to practice law or lawyers
58 engaged in a private or public legal aid or public defender organization, a legal services
59 organization, the legal department of a corporation or other organization, or the attorney
60 general, prosecuting attorney, law director, or other public office.

61
62 ~~(I)~~(J) “Loan” means an advance of money with an absolute promise to pay, with
63 or without interest, and includes loan guarantees.

64
65 ~~(J)~~(K) “Organization” means any entity or combination of two or more persons,
66 other than a political party, including, but not limited to, a corporation, nonprofit
67 corporation, partnership, limited liability company, association, professional association,
68 continuing association, estate, trust, business trust, political action committee as defined
69 in R.C. 3517.01, law firm, organization affiliated with a political party, labor organization,
70 campaign committee of another candidate for public office, or caucus campaign
71 committee.

72
73 ~~(K)~~(L) “Organization affiliated with a political party” means a combination of two or
74 more persons, other than a political party or an organization, that is identified by its name
75 or association with a national, state, or county political party or expressly promotes the
76 interests, philosophy, or candidates of a political party.

77
78 ~~(L)~~(M) “Political action committee” has the same meaning as in R.C. 3517.01.

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

82
83 ~~(N)~~(O) “Prominent lettering” means not less than the size of the largest type used
84 to display the title of office or the court to which the judicial candidate seeks election.