

**Opinion 328**  
**December 1966**  
**23 Baylor L. Rev. 856 (1972)**

**POLITICAL CAMPAIGN CONTRIBUTIONS FOR JUDICIAL CANDIDATES**

It is ethical for attorneys to assist judicial candidates with respect to campaign expenses either by direct contributions or by soliciting contributions so long as there is no improper motivation.

Canons 2, 3.

**QUESTIONS**

1. Is it proper and ethical for attorneys who regularly practice before a court of record to solicit contributions for payment of the filing fee required of such judge in the Democratic Primary election where the judge is unopposed?

2. Is it proper and ethical for attorneys to make direct contributions in excess of \$50.00 to or in behalf of the judge under the circumstances and for the purpose stated in question 1?

**OPINION**

While the questions are presented in terms of an uncontested primary election we answer them generally and it is the unanimous opinion of the Committee that attorneys may ethically assist judicial candidates in the defrayment of campaign expenses either by direct contributions or by soliciting contributions so long as there is no improper motivation. It is immaterial whether the candidate is unopposed and the amount of the contribution is not controlling.

Canon 2 seems to impose a duty upon lawyers to support suitable candidates for the judiciary, and probably the support most often needed is financial support. Of course such support could be improperly motivated for the purpose of currying favor. If so, there would be a violation of Canon 3. The impropriety, however, would lie in the motive and the mere possibility of such an improper motive is not a sufficient basis for withholding from lawyers generally the right to give financial support to judicial candidates. (8-0. )