

## Campaign Contributions by Judges

By: Kristin Sullivan, Chief Analyst  
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### Issue

Can judges make campaign contributions to candidates running for statewide or legislative office? Can they give qualifying contributions (QCs) to candidates participating in the Citizens' Election Program (CEP)? Do the answers differ depending on whether a judge is appointed, such as a Superior Court judge, or elected, such as a probate judge?

The Office of Legislative Research is not authorized to provide legal opinions and this report should not be considered one.

### Summary

Under state campaign finance law, individuals may make campaign contributions to statewide or legislative office candidates, including QCs to candidates participating in CEP, unless otherwise prohibited. The law does not prohibit a judge, whether appointed or elected, from contributing to a candidate. Similarly, it does not disqualify a judge's contribution from counting as a QC under the CEP (CGS §§ [9-611](#), [9-612\(i\)](#), and [9-704\(c\)](#)) (see Background).

However, the Code of Judicial Conduct places restrictions on the political activities of Superior Court and other appointed judges (e.g., Supreme and Appellate courts). Similarly the Code of Probate Judicial Conduct restricts the political activities of probate judges, who are elected.

Among other things, the Code of Judicial Conduct prohibits judges under its jurisdiction from making contributions to candidates, "except as permitted by law" ([Code of Judicial Conduct, Rule 4.1\(a\)\(4\)](#)). While state campaign finance law does not prohibit judges from contributing to candidates, it does not explicitly authorize such activity either. According to a 2010 informal

advisory opinion by the Committee on Judicial Ethics, the Code of Judicial Conduct prohibits Judicial officials, including Superior Court judges, from making contributions to federal or state candidates, including those running for office in Connecticut or another state (see [Informal Opinion Summary 2010-24](#), July 28, 2010).

On the other hand, the Code of Probate Judicial Conduct authorizes probate judges to make campaign contributions to candidates, “unless prohibited by law” ([Code of Probate Judicial Conduct, Rule 4.1\(a\)\(3\)](#)). Thus, it appears probate judges may make campaign contributions to candidates.

## **Background**

The CEP is a voluntary program that provides public financing in the form of grants to statewide and legislative office candidates. Candidates are eligible to receive grants provided they collect a specified amount of QCs from individual donors, abide by certain spending limits, and comply with other program requirements ([CGS § 9-700 et seq.](#)).

KS:bs