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Community Advocacy Network Alert



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The United States Supreme Court Rules: Florida Judges Can't Personally Solicit Campaign Funds.

Even though primary elections are over a year away, campaigns are making most of the headlines. If you haven't already, you may soon be asked to donate to a candidate's campaign whether it's on a state or national level. Florida is one of 39 states in which voters elect county and circuit court judges in a non-partisan election. This means that the judicial candidate's political party affiliation is not reflected on the ballot (see the sample ballot below). Once elected, circuit court judges serve a six-year term. Because these candidates run for office, they also campaign for money. **It was recently ruled by the U.S. Supreme Court, however, that judges are held to different ethical standards when it comes to campaign fundraising.**



The Florida Bar, in the case of Williams-Yulee v. Florida Bar, sought to protect the impartiality of and integrity of the courts by not allowing judges to personally solicit money towards their campaign.

The Plaintiff, Williams-Yulee lost a 2009 race for judge in Hillsborough County. During her campaign, she violated the Florida rules by mailing and posting online a signed letter to potential contributors soliciting funds. She was fined \$1,860 by the Florida Bar. She then filed a lawsuit against the Florida Bar alleging that this rule violated her free-speech rights and provided little public benefit.

The U.S. Supreme Court rejected her argument and ruled

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that states may prohibit judicial candidates from personally soliciting campaign contributions. Unlike candidates for legislative and executive office who are policymakers, judges must remain impartial. Chief Justice Roberts stated that our judicial system depends on public confidence. If that confidence is jeopardized, the public may not uphold court rulings.

As you know, CAN is a strictly non-partisan organization. You can always count on us to provide you with up to date information on laws, law makers, and rules affecting how you live and how much you pay living in one of Florida's 60,000 community associations.

Wishing you cool summer nights.

Yours in Community,

Alan Garfinkel, Esq.
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Community Advocacy Network (CAN), Chairman

The Community Advocacy Network (CAN) is Florida's leading voice for the interests of 60,000 community associations statewide, leading the fight against over-regulation of private residential communities by state and local governments. Each year since its inception in 2007, CAN spearheads important State legislative reforms designed to protect and enhance Florida Community association living, CAN continues to foster financial stability and operational integrity to all common-interest ownership communities statewide.

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