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**ADVISORY NO. 2007-13**

November 2, 2007

To: All County Boards of Elections

Re: New Declaration of Candidacy Forms for Judicial Candidates

This Advisory concerns the adoption by the Secretary of State of new declaration of candidacy forms for judicial candidates.

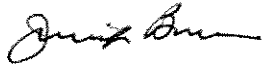
Several judicial candidates and representatives of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio have expressed concern that the existing declaration of candidacy forms for judicial candidates seeking party nomination in a primary election require the candidate to declare that she or he "will support and abide by the principles enunciated by" the political party whose nomination the judicial candidate is seeking. The concern is that judicial candidates who sign the declaration of candidacy forms containing this language may violate provisions of the Code of Judicial Conduct. While the language in question is specifically provided in R.C. 3513.07, this statute requires only substantial compliance in completing the declaration of candidacy form.

Consequently, the appropriate forms have been revised to remove the language declaring that judicial candidates "will support and abide by the principles enunciated by" a political party. Form No. 2-D (declaration of candidacy for chief justice and justice of the Ohio Supreme Court) and Form No. 2-H (declaration of candidacy for judge or clerk of the municipal court) have been revised to remove this language. Form No. 2-F (declaration of candidacy for district office) has been revised to remove references to the court of appeals. Candidates for the court of appeals will now use Form No. 2-FJ. Form No. 2-G (declaration of candidacy for county office) will no longer be used by candidates for common pleas court. Candidates for common pleas court will now use Form No. 2-GJ.

*Because judicial candidates are already circulating declarations of candidacy for party nomination at the 2008 Primary Election, boards of elections should continue to accept the existing forms for the 2008 Primary Election only. Additionally, due to concern regarding potential violations of the Code of Judicial Conduct, boards of elections should accept the existing forms from judicial candidates who do not complete or who cross out the sentence on the form declaring that the judicial candidate "will support and abide by the principles enunciated by the \_\_\_\_\_ Party."*

If you have any questions or need additional information regarding this Advisory, then please contact the Elections Division legal staff assigned to your board at 614-466-2585 or by e-mail.

Sincerely,



Jennifer Brunner

cc: The Honorable Thomas Moyer, Chief Justice  
Supreme Court of Ohio  
Jonathan W. Marshall, Secretary  
Board of Commissions on Grievances and Discipline  
Jonathan Coughlan  
Disciplinary Counsel of Ohio