

SUMMARY

Julie Conger
Judge of the Superior Court
Alameda County Superior Court
March 14, 2006

Judge Conger concurs with the Comments submitted by Alan B. Morrison on January 28, 2006 and February 25, 2006 concerning the Revised Draft of December 14, 2006. She offers the following observations:

Rule 5.01(A)(7):

Judge Conger notes that prohibiting acceptance of endorsement from political organizations puts judges and judicial candidates at a severe disadvantage in electoral campaigns. Local political organizations' Candidates' forums are among the only avenues judicial candidates have to air their qualifications and to sell themselves. The likelihood of these organizations appearing before the judge's court as a party to litigation is minimal

Rule 5.01(A)(4)

She finds the prohibition against contribution to political organizations or candidates for public office to be overly restrictive.

Rule 5.01(A)(8)

She agrees with Mr. Morrison that this rule needs to be tightened to permit acceptance of campaign donations by a judicial candidate from family and close friends.

Rule 5.01(A)(3)

Judge Conger points out that in judicial campaigns, support from other members of the judiciary is important in establishing the judge's credentials for judicial office and were this rule to prohibit judges from endorsing colleagues in a judicial race, it would seriously tie the hands of the judicial candidates, and hamper their ability to project their credentials to the electorate.