

# Order

Michigan Supreme Court  
Lansing, Michigan

March 13, 2019

Bridget M. McCormack,  
Chief Justice

ADM File No. 2017-15

David F. Viviano,  
Chief Justice Pro Tem

Amendment of Canon 7  
of the Michigan Code  
of Judicial Conduct

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Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Canon 7 of the Code of Judicial Conduct is adopted, effective May 1, 2019.

[Additions to the text are indicated in underlining  
and deleted text is shown by strikeover.]

Canon 7.

A Judge or a Candidate for Judicial Office Should Refrain From Political Activity  
Inappropriate to Judicial Office

A. [Unchanged.]

B. Campaign Conduct:

(1) [Unchanged.]

(2) These provisions govern a candidate, including an incumbent judge, for a  
judicial office:

(a) [Unchanged.]

(b) A candidate may establish committees of responsible persons to  
secure and manage the expenditure of funds for the campaign and to  
obtain public statements of support (including support from lawyers)  
for the candidacy.

- (c) Such committees may solicit and accept~~are prohibited from soliciting~~ campaign contributions from the public, including lawyers,~~as permitted by law.~~ ~~in excess of \$100 per lawyer, but may solicit public support from lawyers.~~ It is not a violation of this provision for a committee, in undertaking solicitations that are not directed exclusively to lawyers but may in fact go to lawyers who are members of a group or found on a mailing list, to solicit more than \$100 per person, provided that the following disclaimer appears on the letter or on a response card, in print that is at least the same size as the remainder of the print in the letter or the response card:

~~“Canon 7 of the Michigan Code of Judicial Conduct prohibits a judicial campaign committee from soliciting more than \$100 per lawyer. If you are a lawyer, please regard this as informative and not a solicitation for more than \$100.”~~

(d)-(g) [Unchanged.]

(3) [Unchanged.]

C. [Unchanged.]

*Staff comment:* The amendment of Canon 7 of the Code of Judicial Conduct explicitly allows judicial campaign solicitation as permitted by law, eliminates the \$100 per lawyer limitation, and removes the disclaimer requirement. This change brings Michigan’s canons into conformity with the majority of states that have moved away from solicitation restrictions and instead opted to refer to statutory campaign provisions.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 13, 2019

Clerk