

Tenn. R. Sup. Ct. 4.2

As amended through October 26, 2021

Rule 4.2 - Political and Campaign Activities of Judges and Judicial Candidates in Public Elections

- (A)** A judge or judicial candidate in a partisan, nonpartisan, or retention election shall:
- (1)** act at all times in a manner consistent with the independence, integrity, and impartiality of the judiciary;
 - (2)** comply with all applicable election, election campaign, and election campaign fund-raising laws and regulations of this jurisdiction;
 - (3)** review and approve the content of all campaign statements and materials produced by the candidate or his or her campaign committee, as authorized by RJC 4.4, before their dissemination; and
 - (4)** take reasonable measures to ensure that other persons do not undertake on behalf of the candidate activities, other than those described in RJC 4.4, that the candidate is prohibited from doing by RJC 4.1.
- (B)** A candidate for elective judicial office may, unless prohibited by law, and not earlier than 365 days before the first applicable primary election, caucus, or general or retention election:
- (1)** establish a campaign committee pursuant to the provisions of RJC 4.4.
 - (2)** speak on behalf of his or her candidacy through any medium, including but not limited to advertisements, websites, or other campaign literature;
 - (3)** [intentionally omitted];
 - (4)** [intentionally omitted];
 - (5)** seek, accept, or use endorsements from any person or organization; and

(6) [intentionally omitted].

(C) A judge or judicial candidate may, except as prohibited by law, at any time

(1) purchase tickets for and attend political gatherings, subject to the limitations in (C)(3);

(2) identify himself or herself as a member of a political party;

(3) contribute to a political organization or a political candidate in an amount up to the limitations provided in Tenn. Code Ann. § 2-10-301 et seq.; and

(4) publicly endorse or oppose judges or judicial candidates in a partisan, nonpartisan, or retention election for any judicial office.

(D) Judges and judicial candidates running for judicial office in a partisan, nonpartisan, or retention election may group themselves into slates or other alliances to conduct their campaigns more effectively, including the establishment of a joint campaign committee pursuant to RJC 4.4.

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Comment

[1] Paragraphs (B), (C), and (D) permit judicial candidates in public elections to engage in some political and campaign activities otherwise prohibited by RJC 4.1.

[1A] It is possible for some judicial offices to be subject to a primary and general election. It is possible for some counties to have a partisan primary for a particular office whereas another county might only have a nonpartisan general election for the same office. It is also conceivable that the decision as to whether or not to hold a primary might not be made until within the 365-day period before the primary. Therefore, for the sake of uniformity, the 365-day period for all judicial offices that can possibly be subject to a primary election, whether or not there actually is a primary, shall begin to run from the date the primary would be held.

[2] Paragraph (C) provides a limited exception to the restrictions imposed by RJC 4.1 and permits judges or judicial candidates at any time to be involved in limited political activity. Note that paragraph (C) is equally applicable to judges or judicial candidates subject to partisan, nonpartisan, and retention elections. Paragraph (C)(3) allows a judge or judicial candidate to contribute to a political organization or candidate in an amount not to exceed the contribution limits provided in Tenn. Code Ann. § 2-10-301 et seq. This limitation includes the purchase of tickets set out in Paragraph (C)(1).

[2A] Paragraph (C)(4) allows a judge or judicial candidate to "publicly endorse or oppose judges or judicial candidates in a partisan, nonpartisan, or retention election for any judicial office." The term "judicial office" refers only to an elected judgeship; paragraph (C)(4) does not allow a judge or judicial candidate to publicly endorse or oppose candidates for other elected (non-judge) positions within the judicial system, such as elected court clerks, district attorneys general, and district public defenders.

[3] In partisan public elections for judicial office, a candidate may be nominated by, affiliated with, or otherwise publicly identified or associated with a political organization, including a political party. This relationship may be maintained throughout the period of the public campaign, and may include use of political party or similar designations on campaign literature and on the ballot.

[4] [Intentionally omitted]

[5] [Intentionally omitted]

[6] [Intentionally omitted]

[7] [Intentionally omitted]

[7A] Paragraph (D) provides that judges and judicial candidates running for judicial office in partisan, nonpartisan, or retention elections may group themselves into slates or other alliances to conduct their campaigns more effectively.

[8] Compliance with all applicable election, election campaign, and election campaign fund-raising laws and regulations of this jurisdiction includes, but is not limited to, the provisions of Tennessee Code Annotated sections 2-10-101 et seq., the Campaign Financial Disclosure Act, and Tennessee Code Annotated sections 2-10-301 et seq., the Campaign Contribution Limits Act.



Campaign finance requirements for Tennessee judicial elections

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Candidates for judicial offices in Tennessee must adhere to the state's campaign finance laws. These laws regulate the amounts and sources of money given or received for political purposes; in addition, campaign finance laws stipulate disclosure requirements for political contributions and expenditures.

HIGHLIGHTS

- Tennessee limits all contributions from individuals to judicial candidates to \$1,500 per candidate per election.
- All contributions to any judicial candidate from a PACs are limited to \$7,600 per election.

The laws and regulations that apply to judicial campaigns may differ from those that apply to candidates for political office. To learn more about campaign finance requirements for other candidates, see this article.

Judicial elections overview

Tennessee judicial elections come in a few varieties: **appellate judges participate in retention elections, while most trial court judges are selected via partisan elections. Judges of the general sessions courts participate in nonpartisan elections.** Judicial elections are held in August of even-numbered years, during the statewide primary. Elected judges take office on September 1.^{[1][2]}



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- [Judicial selection overview](#)
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Note: This page is not intended to serve as a manual. Individuals who are interested in running for a judicial office should contact their state election agencies for more information about specific filing processes and requirements.

TENNESSEE REGISTRY OF ELECTION FINANCE

2022 Filing Dates

State Elections with a May Primary (05/03/2022) and August General (08/04/2022)

Report	Period Covered	Due Date
1 st Quarter	01/16/2022 – 03/31/2022	04/11/2022
Pre-Primary ¹	04/01/2022 – 04/23/2022	04/26/2022
2 nd Quarter	04/24/2022 – 06/30/2022	07/11/2022
Pre-General ²	07/01/2022 – 07/25/2022	07/28/2022
3 rd Quarter ³	07/26/2022 – 09/30/2022 or 07/01/2022 – 09/30/2022	10/11/2022
4 th Quarter	10/01/2022 – 01/15/2023	01/25/2023

1. Pre-Primary
 - If this is your first report, it will begin with the date of the first contribution or first expenditure, whichever occurred earlier, and extend through April 23, 2022.
2. Pre-General
 - This report is only required for candidates participating in the August 4, 2022 general election.
3. 3rd Quarter
 - If you were a candidate in the August 4, 2022 general election, the report will cover the period July 26, 2022 through September 30, 2022.
 - If you were not a candidate in the August 4, 2022 general election but have an open campaign account, the report will cover the period July 1, 2022 through September 30, 2022.

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