

**DE 84-14 - May 24, 1984**

**SOLICITATION OF ENDORSEMENTS BY CANDIDATES FOR JUDICIAL OFFICE  
s. 105.071(10) and s. 106.143, F.S.**

*To: Mr. Walter N. Colbath Jr., 1551 Forum Place, Suite 330-B, West Palm Beach,  
Florida 33401*

*Prepared by: Division of Elections*

Pursuant to your request, this is a formal elections opinion under s. 106.23(2), F.S., on essentially the following question:

“May a candidate for judicial office, solicit endorsements of fellow lawyers without paying the individual for such endorsement and, thereafter, use the name of the individual or individuals who have signed such endorsement in a printed newspaper advertisement sponsoring my candidacy, and pay for the advertisement out of my campaign accountant?”

At the outset, you should note that s. 105.071(10), F.S., provides that a candidate for judicial office shall not “make any contribution to any person, group, or organization for its endorsement to judicial office.”

Assuming, therefore, that you are not in any way paying your fellow lawyers for the endorsement, the form you use to obtain signatures and the printed newspaper political advertisements must meet the requirements set forth in Section 106.143, F.S.

Section 106.143(1), F.S., provides that any political advertisement must be marked with the words “paid political advertisement” or with the abbreviation “pd. pol. Adv.” Section 106.143(3), F.S., then states that:

“It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate unless the person or organization so represented has given specific approval in writing to make such representation.” (emphasis added.)

Inasmuch as you desire that the newspaper political advertisements be an endorsement of your candidacy, the advertisements must contain the words set forth in s. 106.143(1), and the forms you use to obtain the signatures for the endorsements must state that the person signing gives specific approval to make such representation.

SUMMARY

A candidate for judicial office may solicit endorsements from fellow lawyers and use the names of the persons who have signed such endorsements as long as (1) the candidate does not pay for the endorsements; (2) the political advertisement contains the

wording set forth in s. 106.143(1); and (3) the forms used to obtain the signatures for the endorsements state that the person signing gives specific approval to make the endorsement.