CANON 4, RULE 4.5
A judge or judicial candidate shall not engage in
political or campaign activity that is inconsistent
with the independence, integrity, or impartiality
of the judiciary.

RULE 4.5: ACTIVITIES OF JUDGES WHO BECOME CANDIDATES FOR NONJUDICIAL OFFICE

(A)   Upon becoming a candidate for a nonjudicial elective office, a judge shall resign from judicial office, unless permitted by law* to continue to hold judicial office. A person becomes a candidate for nonjudicial office by (1) making a public announcement of candidacy, (2) declaring or filing as a candidate with the election authority, (3) authorizing or, where permitted, engaging in solicitation or acceptance of contributions or support, or (4) being nominated for election. A judge may continue to hold office while a candidate for election to or serving as a delegate in a state constitutional convention.

(B)   Upon becoming a candidate for a nonjudicial appointive office, a judge is not required to resign from judicial office, provided that the judge complies with the other provisions of this Code.

COMMENTS

[1]   In campaigns for nonjudicial elective public office, candidates may make pledges, promises, or commitments related to positions they would take and ways they would act if elected to office. Although appropriate in nonjudicial campaigns, this manner of campaigning is inconsistent with the role of a judge, who must remain fair and impartial. The potential for misuse of judicial office, and the political promises that the judge may make in the course of campaigning for nonjudicial elective office, together dictate that a judge who wishes to run for such an office must resign upon becoming a candidate.

[2]   The "resign to run" rule set forth in paragraph (A) ensures that a judge cannot use the judicial office to promote such candidacy and eliminates any potential issue of postcampaign retaliation by a judge defeated in an election. When a judge is seeking appointive nonjudicial office, however, the dangers are not sufficient to warrant imposing the "resign to run" rule.