

SUPREME COURT OF LOUISIANA

In re Cannizzaro

901 So. 2d 1035 (La. 2005) · Decided May 6, 2005

SUMMARY

The Louisiana Supreme Court adopted the Judiciary Commission’s recommendation and publicly censured Judge Leon A. Cannizzaro for violating judicial campaign conduct rules. The violations involved personally accepting campaign contributions, permitting court staff to solicit contributions and organize a fundraising dinner, and failing to use a campaign committee; the court also ordered reimbursement of \$809.50 in costs.

CASE DETAILS

COURT	Supreme Court of Louisiana
WRITING FOR THE COURT	Per Curiam; Kimball; Reasons; Traylor
JURISDICTION	Louisiana
DECIDED	May 6, 2005
DISPOSITION	approved
PROCEDURAL POSTURE	Judicial disciplinary proceeding before the Supreme Court of Louisiana on the Judiciary Commission's recommendation that Judge Leon A. Cannizzaro be publicly censured and ordered to pay prosecution costs. The parties stipulated to the material facts, legal conclusions, and recommended discipline, and waived oral argument.
STANDARD OF REVIEW	The court independently determined the appropriate measure of judicial discipline based on the stipulated facts and considered the Commission's recommendation.
PRECEDENTIAL VALUE	Published Louisiana Supreme Court opinion; precedential authority on the discipline imposed for the stipulated judicial campaign-conduct violations and the application of judicial-discipline sanction factors.

TOPICS

- campaign finance
- election law
- constitutional law

PRACTICE AREAS

- judicial discipline
- legal ethics
- campaign finance

QUESTIONS PRESENTED

1. What measure of judicial discipline was appropriate based on the stipulated campaign-contribution violations?
2. Whether public censure and reimbursement of the Judiciary Commission's costs were appropriate sanctions.

HOLDINGS

1. Public censure was an appropriate sanction for Judge Cannizzaro's pattern of improper campaign conduct, including accepting campaign contributions without using a campaign committee.
2. Judge Cannizzaro was required to reimburse the Judiciary Commission of Louisiana \$809.50 for the costs of the proceedings.

KEY QUOTATIONS

“Applying these factors to the instant case, we find that Judge Cannizzaro engaged in a pattern of improper campaign conduct through his acceptance of contributions without using a campaign committee.” (901 So. 2d at 1037)

“Considering all the circumstances of this case, we conclude the sanction of public censure is appropriate.” (901 So. 2d at 1038)

FACTUAL BACKGROUND

Judge Leon A. Cannizzaro, then a judge of the Court of Appeal, Fourth Circuit, maintained a campaign-fund bank account and personally endorsed and deposited campaign contribution checks into it. His minute clerk solicited the contributions and planned and organized a 1999 campaign fundraising dinner while subject to the judge's control and direction. Judge Cannizzaro stipulated that this conduct violated Canon 7 provisions prohibiting a judge from personally accepting contributions, authorizing or permitting prohibited conduct by others, and failing to use a campaign committee.

PROCEDURAL HISTORY

The Judiciary Commission investigated campaign contributions accepted by Judge Cannizzaro in connection with a 1999 fundraising dinner. After the Commission filed a formal charge, Judge Cannizzaro and the Office of Special Counsel stipulated that he violated specified provisions of Canon 7 of the Code of Judicial Conduct. The Commission accepted the stipulation, recommended public censure and \$809.50 in costs, and the Supreme Court adopted that recommendation.

DISPOSITION

approved

CASES CITED

- In re: Shea, 02-0643 (La. 4/26/02), 815 So. 2d 813

- In re: Best, 98-0122 (La. 10/20/98), 719 So. 2d 432
- In re: Chaisson, 549 So. 2d 259 (La. 1989)
- In re: Harris, 98-0570 (La. 7/8/98), 713 So. 2d 1138
- In re: Marullo, 96-2222 (La. 4/8/97), 692 So. 2d 1019

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/louisiana-supreme-court-of-louisiana/2005/in-re-cannizzaro-0ttnvx40>