



JUDICIAL INVESTIGATION COMMISSION

City Center East - Suite 1200 A
4700 MacCorkle Ave., SE
Charleston, West Virginia 25304
(304) 558-0169 • FAX (304) 558-0831

January 19, 2017

Re: JIC Advisory Opinion 2017-03.

Dear Magistrate

Your recent request for an advisory opinion was reviewed by the Judicial Investigation Commission. You are contemplating obtaining a Master's Degree in Social Work. You would like to do your thesis on a community response to domestic violence. You want to know if you can do this project since you preside over domestic violence cases as part of your magisterial duties.

To answer your question, the Commission has reviewed Rules 2.10 and 3.7 of the Code of Judicial Conduct which provides in pertinent part:

Rule 2.10 Judicial Statements on Pending and Impending Cases

- (A) A judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing.

Rule 3.1 Extrajudicial Activities in General

A judge may engage in extrajudicial activities, except as prohibited by law or this Code. However, when engaging in extrajudicial activities, a judge shall not:

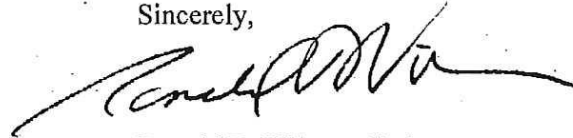
- (A) participate in activities that will interfere with the proper performance of the judge's judicial duties;

- (B) participate in activities that will lead to frequent disqualification of the judge;
- (C) participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality;
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- (E) make use of court premises, staff, stationery, equipment, or other resources, except for incidental use for activities that concern the law, the legal system, or the administration of justice, or unless such additional use is permitted by law.

Based upon the foregoing, the Commission is of the opinion that you may do your master's thesis on a community response to domestic violence as long as you follow the tenets of Rules 2.9 and 3.1 set forth above. You should not express any opinions on what you would do with any specific set of facts or any pending or impending issues but you may talk procedure, provide statistics, etc.

We hope this opinion fully addresses the issue which you have raised. If there is any further question regarding this matter do not hesitate to contact the Commission.

Sincerely,



Ronald E. Wilson, Chairperson
Judicial Investigation Commission