



## JUDICIAL INVESTIGATION COMMISSION

Room E-400, State Capitol

Charleston 25305

July 26, 1988

Re: JIC Advisory Opinion 1988-04

Dear

The Judicial Investigation Commission has received and reviewed your July 11, 1988, correspondence in which you seek an Advisory Opinion with respect to whether or not you may participate in a fund raising event for the Make-A-Wish Foundation.

In your correspondence, you indicate that you have been asked to be the subject of a "roast," with the proceeds being used by the organization. You stated that on this occasion various local community leaders and attorneys would jokingly castigate you about various ideas.

The Commission considered your request for an Advisory Opinion at its meeting on July 15, 1988.

Canon 5B(2) of the Judicial Code of Ethics contains the language which addresses your inquiry. That section of Canon 5 states as follows:

"B. Civic and Charitable Activities. A judge may participate in civic and charitable activities that do not reflect adversely upon his impartiality or interfere with the performance of his judicial duties. A judge may serve as an officer, director, trustee, or non-legal advisor of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members, subject to the following limitations:

"(2) A judge should not solicit funds for any educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the

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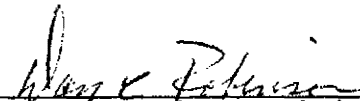
"prestige of his office for that purpose, but he may be listed as an officer, director or trustee of such an organization. He should not be a speaker or the guest of honor at an organization's fund raising events, but he may attend such events."

Based upon the language contained in Canon 5B(2) of the Judicial Code of Ethics, the Commission feels that your participation in the event described in your correspondence would not be permitted. It is hoped that this fully answers the question raised in your request for an Advisory Opinion. If there are any questions, please do not hesitate to contact the Commission.

Very truly yours,

JUDICIAL INVESTIGATION COMMISSION

By:

  
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Dan C. Robinson, Chairman

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