



JUDICIAL INVESTIGATION COMMISSION

Room E-400, State Capitol

Charleston 25305

March 29, 1991

Re: JIC Advisory Opinion 1991-04

Dear

Your correspondence to the Judicial Investigation Commission requesting an advisory opinion has been reviewed by the Commission at its last meeting. In that communication you requested opinions on three questions which are set forth in your letter. The Commission has discussed the areas which you have raised and determined that Canon 5 of the Judicial Code of Ethics would control the response given. The Commission has responded to the requests in the order which you have raised them in your letter.

1. May a judge accept money as a gratuity from a couple whom he unites in marriage pursuant to statutory authority?

No. The language set forth in Canon 5C (1) and (4) would prohibit accepting money as a gratuity under these circumstances.

2. May a judge accept on behalf of his office contributions of money or equipment from a charitable, fraternal, or community-minded non-profit organization in order to fund or provide necessary or desirable office equipment which the government is unwilling or unable to fund?

No. The language set forth in the above-stated Canon would prohibit this activity.

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3. May a judge contribute money from his personal estate to fund necessary or desirable expenses or equipment for his judicial office which the government is unwilling or unable to fund?

Yes. There is no prohibition against a judge using his own resources to purchase equipment or to use his own equipment to furnish his judicial office.

If there is any further question regarding the areas about which you have inquired, do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script that reads "W. Jack Stevens".

W. Jack Stevens, Chairman

CRG/bl