



*Original*

## JUDICIAL INVESTIGATION COMMISSION

Room E-400, State Capitol

Charleston 25305

June 19, 1991

Re: JIC Advisory Opinion 1991-05

Dear

The Draft of our letter on your advisory opinion was mailed to you as a courtesy because we understood you needed an answer as soon as possible because of your husband's candidacy; and there was not time to have a formal, final letter sent to me for my signature. Since the members had been polled for their opinions, we were not present together when the Draft was written.

The opinion did address the questions as they were set forth one through six in your letter and are as follows:

1. It would not be a violation of judicial ethics for your name and photograph to appear in your husband's campaign literature since this activity would clearly involve actions on the part of you as a wife to the candidate and not as a family law master.
2. The consensus of the Judicial Investigation Commission is that you could appear in a parade with your husband since again that activity would involve an action on your part as the wife of the candidate and not as a family law master. The Commission does feel that your appearance should be discrete and low profile.
3. Although some members of the Commission would not permit your membership to the political organizations mentioned in your letter, the consensus of the Commission is that you could be a member of those entities as long as you were not taking a leadership role and as long as you were not publicly endorsing candidates for elective office.
4. There is an even split by the eight members as to your hosting a political gathering.

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5. It would not be appropriate to display your husband's bumper sticker on your automobile. (Of the responses received there were six negative responses concerning the propriety of a bumper sticker on a vehicle. There does not seem to be an indication about the members' feelings concerning the other questions raised in #5.)

6. Your husband could make financial contributions to other candidates, but those contributions should be made from a bank account separate from yours or from any joint account you may have.

As I stated in the Draft, please keep in mind that the advisory opinions of the Judicial Investigation Commission may be modified from time to time and are not binding upon the Supreme Court of Appeals. However, these are the opinions of the Commission at this time as to your conduct with your husband's being a political candidate for office.

If you have further questions, please let us know.

Very truly yours,

A handwritten signature in cursive script that reads "W. Jack Stevens". The signature is written in dark ink and is positioned above the printed name.

W. Jack Stevens, Chairman

WJS/bl