



AD

JUDICIAL INVESTIGATION COMMISSION

Room E-400, State Capitol

Charleston 25305

October 18, 1991

Re: JIC Advisory Opinion 1991-09

Dear

As you may know the Judicial Investigation Commission issued an advisory opinion on March 29, 1991, which stated that judicial officers are prohibited from accepting gifts of money or equipment from nonprofit organizations.

This advisory opinion directly affected some of the offices of family law masters since we have been informed that donations of equipment and furniture have been given or loaned by local bar associations to some family law master offices. We are also told that without these donations and gifts some of the offices would not have proper furniture.

The Judicial Investigation Commission reconsidered this matter at its recent meeting based upon a letter received from

Director for Family Law Masters. reiterated that since the inception of the Family Law Master Program in 1986 masters have been provided with only minimal equipment and furnishings by the State. She stated that in order to perform their jobs more effectively many family law masters have used their own personal equipment, supplies, and furniture in their offices. When that was not enough, bar association and law offices donated equipment such as the items which have been described to the Commission. Without the donated equipment, many of the family law masters offices would barely be able to function.

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In spite of the problems encountered by some family law masters, the Judicial Investigation Commission reiterated its position that judicial officers should not accept gifts of money or equipment from nonprofit organizations. We were informed by the family law master member of the Commission that the Supreme Court and the Department of Human Services have a contract in which the Department of Human Services is required to provide all of the equipment, furniture, and items needed to maintain properly the family law master offices.

I have been requested by the Commission to address this correspondence to you and set forth the problems which have arisen. While this may be the least of the problems the family law master system is currently facing, perhaps some pressure can be utilized to compel the Department of Human Services to furnish properly the law masters offices.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Ch R. St", with a stylized flourish at the end.

Charles R. Garten, Counsel

CRG/bl