



JUDICIAL INVESTIGATION COMMISSION

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October 7, 1994

Re: JIC Advisory Opinion 1994-14

Dear

Your recent letter to Counsel for the Judicial Investigation Commission in which seek an advisory opinion was reviewed by the Commission at its recent meeting. In that correspondence you asked whether you may continue to serve on the Legal Services Board of Directors and the Juvenile Justice Committee since your appointment to the Circuit Court.

Canon 4C(3)(a) of the Code of Judicial Conduct states:

CANON 4

A JUDGE SHALL SO CONDUCT THE JUDGE'S EXTRA-
JUDICIAL ACTIVITIES AS TO MINIMIZE THE RISK OF
CONFLICT WITH JUDICIAL OBLIGATIONS

C. Governmental, Civic, and Charitable Activities.

(3) Civic and Charitable Activities. A judge may participate in civic and charitable activities that do not reflect adversely upon the judge's impartiality or interfere with the performance of the judge's judicial duties. A judge may serve as an officer, director, trustee, or non-legal adviser 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:

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(a) A judge should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before the judge or will be regularly engaged in adversary proceedings in any court.

The organizations which you describe in your letter, Legal Services and the Juvenile Justice Committee, are regularly engaged in litigation and would, therefore, be regularly engaged in adversary proceedings in court. While the agencies may not be engaged in proceedings which would ordinarily come before you, they both would be regularly engaged in adversarial proceedings in other courts. The language set forth in Canon 4C(3)(a) would, therefore, preclude your membership on the Legal Services Board of Directors and the Juvenile Justice Committee.

It is hoped that this advisory opinion fully addresses the questions which you raised in your correspondence. If there is any further question regarding this matter, do not hesitate to contact the Commission.

Very truly yours,



Fred L. Fox, II, Chairman

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