



JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street
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Charleston, West Virginia 25326-1629
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June 14, 1995

Re: JIC Advisory Opinion 1995-09

Dear

In a letter to Counsel dated May 5, 1995, you asked for an advisory opinion from the Judicial Investigation Commission regarding the propriety of the County Magistrate Office in receiving a complimentary basic T.V. Cable Service from the local cable company. You indicated that the value is approximately \$14.00 per month.

Canon 4D(5) of the Code of Judicial Conduct states in pertinent part:

CANON 4

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

D. Financial Activities.

(5) A judge shall not accept, or knowingly permit staff, court officials, and others subject to judge's direction and control to accept, and should urge members of the judge's family residing in the judge's household, not to accept a gift, bequest, favor, or loan from anyone . . .

This section of the Canon sets forth several exceptions to that prohibition, but the gift from the cable company which

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you describe in your correspondence does not fall within any of these exceptions. The Canon would, therefore, prohibit receipt of the complimentary basic T.V. cable service which you asked about in your letter to the Commission.

If you have any further questions concerning this matter, do not hesitate to contact the Commission.

Very truly yours,



Fred L. Fox, II, Chairman

FLF, II/bl