



## JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street  
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June 14, 1995

Re: JIC Advisory Opinion 1995-13

Dear

Your letter to the Judicial Investigation Commission dated April 26, 1995, was reviewed by the Commission at its recent meeting. In that correspondence you asked for an advisory opinion regarding the possibility of your accepting an appointment to the County Board of Health. You indicated that the position in question is a non-salary position and deals with medical issues.

Subsequently you indicated that the County Commission makes the appointment to the County Board of Health and the Board of Health handles cases involving septic violations and supervises sanitarians in their activities.

Canon 4C(3) (a) 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

#### C. Governmental, Civic, or 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

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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:

(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.

Based on the language contained in this section of the Code of Judicial Conduct, it is the feeling of the Commission that you should not serve on the County Board of Health. Because of the nature of the activities engaged in by the Board of Health, it is possible that the directives contained in Canon 4C(3) (a) of the Code of Judicial Conduct would be contrary to those endeavors.

If there is any further question concerning your inquiry, do not hesitate to contact the Commission.

Very truly yours,



Fred L. Fox, II, Chairman

FLF, II/bl