



JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street
Post Office Box 1629
Charleston, West Virginia 25326-1629
(304) 558-0169 FAX (304) 558-0831

February 19, 1996

Re: JIC Advisory Opinion 1996-02

Dear

The report of Extra-Judicial Compensation which you filed has been brought to the attention of the Judicial Investigation Commission. In that report you state that you are the director of Inc., in West Virginia. Upon reviewing this information the Commission asked me to write you a letter setting forth the relevant sections of the Code of Judicial Conduct.

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

CANON 4

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

D. Financial Activities.

(3) A judge shall not serve as an officer, director, manager, general partner, adviser or employee of any business entity except that a judge may, subject to requirements of this Code, manage and participate in;

(a) a business closely held by the judge or members of the judge's family, or

(b) a business entity primarily engaged in investment of the financial resources of the judge or members of the judge's family.

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Based on this language contained in Canon 4D(3) your service
as a Director of would not be permitted.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "Fred L. Fox, II". The signature is stylized with a large, prominent "F" and "I".

Fred L. Fox, II, Chairman

FLF, II/bl