



## JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street  
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April 11, 1996

Re: JIC Advisory Opinion 1996-10

Dear

Your letter to Judicial Disciplinary Counsel was reviewed by the Judicial Investigation Commission at its recent meeting. In that correspondence you asked for an advisory opinion as to whether a conflict might exist for your proposed service as a member of the Board of Directors of \_\_\_\_\_ while being a Mental Hygiene Commissioner for \_\_\_\_\_ County. You stated that the

Board has invited you to serve as a member and that you have been a Mental Hygiene Commissioner for the past three years. You indicated that as Mental Hygiene Commissioner you often entertain applications filed by \_\_\_\_\_; \_\_\_\_\_ staff members often testify at hearings; and when a less restrictive alternative to hospitalization is available in a given case, you invariably order that \_\_\_\_\_ provide outpatient treatment and services as may be needed. You also stated that you have no financial interest whatsoever in \_\_\_\_\_

In reviewing your correspondence the Commission looked at Canon 4C(3)(a) of the Code of Judicial Conduct which addresses the inquiry which you have made. That Canon states:

### CANON 4

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

April 11, 1996

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 judicial duties. A judge may serve as an officer, director, trustee, or nonlegal advisor 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 upon the information contained in your request for an advisory opinion and the language set forth in Canon 4C(3)(a) of the Code of Judicial Conduct, it is the opinion of the Commission that you may not serve on the Board of Directors of \_\_\_\_\_.

If there is any further question concerning the issue which you have raised, do not hesitate to contact the Commission.

Very truly yours,

  
Fred L. Fox, II, Chairman

FLF,II/bl