



JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street
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Charleston, West Virginia 25326-1629
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15 October 1996

Re: JIC Advisory Opinion 1996-22

Dear

In a recent letter to the Judicial Investigation Commission, you asked for an advisory opinion regarding whether a senior status judge could accept an appointment as a member of a nonpartisan county board of education. You asked whether a senior status judge would be required to resign his senior status position if such an appointment were accepted.

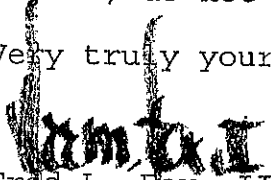
The Constitution of West Virginia, Article 8, Section 7, states in pertinent part that:

No justice, judge, or magistrate shall hold any other office, or accept any appointment or public trust under this or any government; nor shall he become a candidate for any elective public office or nomination thereto, except a judicial office; and the violation of any of these provision shall vacate his judicial office. . . .

This provision of the State Constitution would prohibit a senior status judge from serving on a nonpartisan county board of education while serving as a judicial officer.

It is hoped that this opinion fully addresses the question which you have raised. If you have any further questions concerning this matter, do not hesitate to contact the Commission.

Very truly yours,


Fred L. Fox, II
Chairman