



## JUDICIAL INVESTIGATION COMMISSION

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February 7, 1997

Re: JIC Advisory Opinion 1997-08

Dear

Your letter to Counsel to the Judicial Investigation Commission in which you seek an advisory opinion was reviewed by the Commission at its recent meeting. In that request you asked whether or not it is proper for a judge to send to members of a jury panel a letter thanking the jury members for their service as a juror since such service is an integral part of the judicial process.

In addressing your inquiry the Commission looked to language contained in Canon 1A and Canon 2A. Those Canons state in relevant part as follows:

Canon 1. A judge shall uphold the integrity and independence of the judiciary.

A. An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

Canon 2. A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

A. A judge shall respect and comply with the law, shall avoid impropriety and the appearance of impropriety in all of the judge's activities, and shall act at all times in a

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manner that promotes public confidence in the integrity and impartiality of the judiciary.

The language in these Canons does not preclude the sending of letters to members of a jury panel, but this activity must be conducted within certain constraints.

Any such letters must be sent at the end of the term during which the jurors served. They should not mention any trial, verdicts, or issues involved; and they must not solicit comments with regard to the jury's decision or any comments during deliberation. Any such letter to a juror must remain within the constraints of Canons 1 and 2 and must not impinge upon the integrity or independence of the judiciary or give the appearance of impropriety in its wording. See e.g. Opinion: 85-17, Opinion: 85-17 (addendum), 89-13 (Florida); Opinion: 68, Opinion: 69 (Texas).

If there is any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,

  
Fred L. Fox, II, Chairman

FLF,II/bl