



JUDICIAL INVESTIGATION COMMISSION

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March 4, 1997

Re: JIC Advisory Opinion 1997-10

Dear

Your recent letter to Counsel to the Judicial Investigation Commission in which you request an advisory opinion has been reviewed by the Commission. In your correspondence you stated that for several years you have been a Fellow in the American Academy of Matrimonial Lawyers. You indicated that the Academy is a nationwide organization which represents both plaintiffs and defendants in domestic matters. You asked whether you could maintain membership in this organization while serving on the West Virginia Supreme Court.

The issue which you have raised in your request for an advisory opinion is addressed by Canon 4C(2) of the Code of Judicial Conduct. That Canon says in relevant 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.

(2) Quasi-judicial activities. - A judge may serve as a member, officer, or director of an organization or governmental agency devoted to the improvement of the law, the legal system, or the administration of justice . . .

It would appear to the Commission from your correspondence that the American Academy of Matrimonial Lawyers would fit within the definition of an organization devoted to the

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improvement of the law, the legal system, or the administration of justice. You would, therefore, be able to continue your membership in this organization while serving on the West Virginia Supreme Court. See also Opinion 80-8 (Fla., July 10, 1980) [A judge may belong to the American Academy of Matrimonial Lawyers.]

It is hoped that this opinion fully addresses the inquiry which you have made. 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