



JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street
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February 11, 1999

Dear

In recent correspondence faxed to Counsel you requested an advisory opinion regarding whether a judge can serve on a committee to perform a county government facility utilization study relative to renovating the existing courthouse complex or if necessary construction a new judicial courthouse complex. You stated that the committee would make recommendations to the county commission and would be dealing primarily with matters as you set forth in your correspondence. You indicated that it would be modeled after the _____ County plan in which a new courthouse complex was constructed there.

The activity which you have defined in your letter and the inquiry which you have made is addressed by Canon 4C(1)(2) of the Code of Judicial Conduct. That section of Canon 4 states 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. - (1) Governmental activities. - A judge may appear at a public hearing before, or otherwise consult with, an executive or legislative body or official on matters concerning the law, the legal system, or the administration of justice or when acting pro se in a matter involving the judge or the judge's interests, subject to the requirements of this Code.

(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. A judge may assist such an organization in raising funds and may participate in their management and investment, but should not personally participate in public fund-raising activities. A judge may make recommendations to public and private fund-raising agencies on projects and programs concerning the law, the legal system, and the administration of justice.

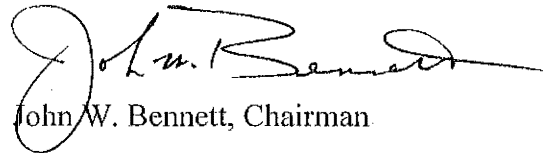
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Based upon the language set forth in the relevant sections of Canon 4 it is the opinion of the Commission that you may serve on the committee which you described in your letter to Counsel. Any activity on your part within the framework of the committee should remain within the perimeters described in Canon 4. See also JIC Advisory Opinion 2/25/94, a copy of which is attached hereto.

It is hoped that this opinion addresses all of the issues which you have raised in your correspondence. If you have any additional questions do not hesitate to contact the Commission.

Very truly yours,



John W. Bennett, Chairman

JWB:nb
Enclosure