



## **JUDICIAL INVESTIGATION COMMISSION**

Post Office Box 1629  
Charleston, West Virginia 25326-1629  
(304) 558-0169 • FAX (304) 558-0831

November 5, 1999

Re: JIC Advisory Opinion 1999-16

Dear

You have asked for an advisory opinion concerning a request which you received that you serve on an advisory review board for the \_\_\_\_\_ Police Department. The review board will review an application for a cash grant and make non binding recommendations for the proposed use of funds.

To address your inquiry the Commission has reviewed Canon 4 of the Code of Judicial Conduct. That Canon 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.

A. Extra-judicial activities in general. - A judge shall conduct all of the judge's extra-judicial activities so that they do not:

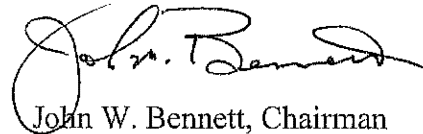
- (1) cast reasonable doubt on the judge's capacity to act impartially as a judge;
- (2) demean the judicial office; or
- (3) interfere with the proper performance of judicial duties.

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Based upon the language contained in this section of Canon 4 it is the opinion of the Commission that you should not serve on the advisory board. The Commission feels that an individual from the local court who is not a judge such as a court administrator would be better suited to serve on any such advisory board. You will find enclosed copies of two previous advisory opinions issued by the Commission regarding similar situations. (JIC Advisory Opinions 5/21/98; 3/25/99) If there is any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John W. Bennett".

John W. Bennett, Chairman

JWB:nb

Enclosures