



JUDICIAL INVESTIGATION COMMISSION

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March 8, 2000

JIC Advisory Opinion 2000-08

Dear Ms. :

Your recent letter to the Judicial Investigation Commission written on behalf of Justice has been reviewed by the Commission. In that correspondence you asked whether pursuant to Canon 5 of the Code of Judicial Conduct certain staff members of Justice are permitted to appear voluntarily in a television commercial. The Committee to Re-Elect Justice is scheduling some filming television commercial. Any filming of Justice staff would be done voluntarily during the staff's lunch hour on their own time.

In reviewing the request of an advisory opinion the Commission reviewed Canon 5 of the Code Judicial Conduct which states in relevant part:

Canon 5. A judge or judicial candidate shall refrain from inappropriate political activity.

A. All judges and candidates.

(3) A candidate for judicial office

(b) shall prohibit employees and officials who serve at the pleasure of the candidate, and shall discourage other employees and officials subject to the candidate's direction and control from doing on the candidate's behalf what the candidate is prohibited from doing under the Sections of this Canon; . . .

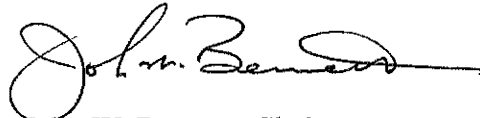
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Based upon the language contained in Canon 5 the Commission sees no prohibition against Justice using her staff on a voluntary basis during the staff's lunch hour on their own time to appear in the television commercial. Since the Commission only has authority to issue an advisory opinion based upon the Code of Judicial Conduct, this opinion is limited to the language contained in the Code.

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", with a long horizontal flourish extending to the right.

John W. Bennett, Chairman

JWB:nb