



JUDICIAL INVESTIGATION COMMISSION

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April 14, 2000
JIC Advisory Opinion 2000-20

Dear Family Law Master :

Your recent request for an advisory opinion has been reviewed by the Commission. In your letter you stated that you have received inquiries concerning a potential conflict with your husband, , mediating cases that are currently scheduled on your docket. You indicated that he has received the appropriate training to be a mediator in domestic cases. It is your understanding that litigants have requested your husband as mediator in cases which are currently assigned to you. You asked whether you can continue to preside over a case in which he has been a mediator.

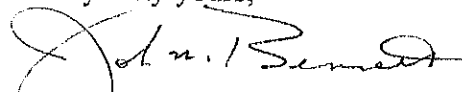
To address the question which you have raised the Commission reviewed Canon 2A of the Code of Judicial Conduct which states:

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

After reviewing this Canon, it is the opinion of the Commission that in order to avoid an appearance of impropriety you should not sit on cases on which your husband has served as a mediator. If you have any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,


John W. Bennett, Chairman

JWB:nb