

JUDICIAL INVESTIGATION COMMISSION

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March 8, 2001

JIC Advisory Opinion 2001-06

Dear Judge :

Your recent advisory opinion request has been reviewed by the Judicial Investigation Commission. In your request you stated that the Gas Co-Op is in the process of reorganizing. At the reorganization meeting it was requested that you become a member of the Board of Directors. You stated that the Co-Op is a small one of approximately twelve hundred customers, more or less, serving the community of and a few customers outside of town. You indicated that there is no salary or fees for the directors.

In reviewing your request the Commission considered Canon 4D(3) of the Code of Judicial Conduct. The relevant section of Canon 4 states as follows:

Canon 4. A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations.

D. Financial activities.

(3) A judge shall not serve as an officer, director, manager, general partner, advisor or employee of any business entity except that a judge may, subject to the requirements of this Code, manage and participate in:

- (a) a business closely held by the judge or members of the judge's family, or
- (b) a business entity primarily engaged in investment of the financial resources of the judge or members of the judge's family.

Senior Status Judge

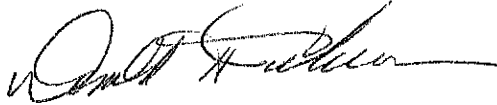
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Under the language contained in Canon 6 relating to retired judges, it was noted by the Commission that a retired judge admitted to senior status is exempted under certain circumstances only from Canon 4E and 4G of the Code of Judicial Conduct. Based upon the language contained in Canon 4D(3), it is the opinion of the Commission that you may not serve as a member of the Board of Directors of the Gas Co-Op.

It is hoped that this opinion fully addresses the issue which you have raised. If there is any further question regarding this matter, please do not hesitate to contact the Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donald H. Cookman", with a long horizontal flourish extending to the right.

Donald H. Cookman, Chairperson
Judicial Investigation Commission

DHC:nb