



## JUDICIAL INVESTIGATION COMMISSION

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September 18, 2001

Re: JIC Advisory Opinion 2001-17

Dear

Your recent correspondence to the Judicial Investigation Commission in which you asked for an advisory opinion has been reviewed by the Commission. In that correspondence you state that your son has a reconsideration hearing coming up in Judge court. You asked whether it would be unethical for you, as a father, to write a letter to the Judge in support of your son's case.

To address your inquiry, the Commission reviewed Canon 2 of the Code of Judicial Conduct which states in relevant part:

Canon 2. A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

B. A judge shall not allow family, social, political, or other relationships to influence the judge's judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or knowingly permit others to convey the impression that they are in a special position to influence the judge. A judge shall not testify voluntarily as a character witness.

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Part of the commentary states in relevant part:

“A judge must avoid lending the prestige of judicial office for the advancement of the private interests of others. For example, a judge must not use the judge’s judicial position to gain advantage in a civil suit involving a member of the judge’s family.”

Based upon the language contained within the Canon, you could not write a letter to the judge as you state in your inquiry. However, if you were subpoenaed to testify at a hearing, you could provide information requested by the court pursuant to the subpoena. If there is any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Donald H. Cookman', followed by a long horizontal flourish.

Donald H. Cookman, Chairperson  
Judicial Investigation Commission

DHC:nb