



## JUDICIAL INVESTIGATION COMMISSION

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

February 19, 2002

Re: JIC Advisory Opinion 2002-05

Dear

Your recent letter to the Judicial Investigation Commission asking for an advisory opinion has been reviewed by the Commission. In your correspondence you asked for an opinion concerning the propriety of a judicial officer to speak at the Annual Crime Solvers Banquet and at the State Fraternal Order of Police Convention. You stated that you had been asked as a community leader to delivery a keynote address at both the Crime Solvers Annual Banquet and the State Fraternal Order of Police Convention. You would not be presenting any awards or commenting upon the performance of any individuals who may be recognized at the proceedings. Your speech would consist of a rather generic speech explaining the history of public service with a patriotic tone. These organizations oftentimes request community leaders to deliver speeches during or after the banquet. To address the question which you have raised, the Commission has reviewed Canon 2A and Canon 4C(3) of the Code of Judicial Conduct. These Canons state in relevant part:

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 of the impartiality of the judiciary.

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

C. Governmental, civic, or charitable activities.

(3) Civic and charitable activities. - A judge may participate in civic and charitable activities that do not reflect adversely upon the judge's impartiality or interfere with the performance of the judge's judicial duties.

The organizations which you have named in your letter to the Commission all represent one interest in a particular area and based upon their activities as set forth in their organization's names, members of the organizations could appear in court on a fairly regular basis. It is the opinion of the Commission that based upon the language set forth in the above stated Canons and the nature of the organizations which you have named in your inquiry that it would not be proper to speak at the Annual Crime Solvers Banquet and at the State Convention of the Fraternal Order of Police. See also, JIC Advisory Opinions 8/29/97; 4/24/97 which are attached hereto.

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

Donald H. Cookman, Chairperson  
Judicial Investigation Commission

DHC:nb

Enclosures