



JUDICIAL INVESTIGATION COMMISSION

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July 29, 2002

Re: JIC Advisory Opinion 2002-18

Dear

In a recent letter to Counsel you asked for any advisory opinion regarding whether you could serve on the Board of Directors on the newly established Center for [redacted]. You attached to your correspondence a letter addressed to you by [redacted], stating that he was establishing the [redacted] Museum and Center for [redacted]. His purpose is to implement a three-year commemoration from December 2002 to December 2005 of the monumental Supreme Court decision that brought an end to the separate but equal doctrine in the United States of America. The project will provide an in-depth study of the contributions Thurgood Marshall, the NAACP and the Legal Defense Fund have made to civil rights and civil liberties in our nation. The opening in December will be the 50th anniversary of the first oral arguments presented before the United States Supreme Court for the famous case. On May 17, 2002, there will be a commemoration of the 50th anniversary of the Court's final ruling. You have been asked to serve on the Board of Directors of the organization. The Board would meet four times a year and all board members would have an open invitation to all of the activities. Your request for the advisory opinion has been reviewed by the Commission.

To address the question which you have raised, the Commission has reviewed relevant portions of Canon 4 of the Code of Judicial Conduct. Canon 4 states in relevant part:

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

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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. A judge may serve as an officer, director, trustee, or non-legal adviser of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members subject to the following limitations:

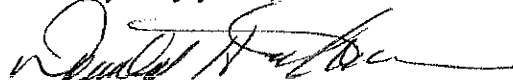
(a) A judge should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before the judge or will be regularly engaged in adversary proceedings in any court.

(b) A judge should not solicit funds for any educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of office for that purpose; but a judge may be listed as an officer, director, or trustee of such an organization, so long as the listing is not used for fund-raising purposes. A judge should not be a speaker or the guest of honor at an organization's fund-raising events, but may attend such events.

(c) A judge should not give investment advice to such an organization, but a judge may serve on its board of directors or trustees even though it has the responsibility for approving investment decisions.

After reviewing the description of the organization provided by you and reviewing the relevant sections of Canon 4, it is the opinion of the Commission that you may serve on the Board of Directors for the Center for Multicultural Comity as long as such service remains within the perimeters set forth in Canon 4C(3). It is hoped that this opinion fully addresses the question which you have raised. If there is any further question do not hesitate to contact the Commission.

Very truly yours,



Donald H. Cookman, Chairperson
Judicial Investigation Commission

DHC:nb