



JUDICIAL INVESTIGATION COMMISSION

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August 27, 2002

Re: JIC Advisory Opinion 2002-20

Dear

In a recent communication to the Judicial Investigation Commission you asked whether a proposed news article would be proper within the context of the Code of Judicial Conduct. The copy of the article which you forwarded to the Commission set forth what amounts to basically an announced report of the activity conducted by the Family Court Judge for [redacted] and

[redacted] Counties. The article appears to be a generic summation of the kinds of cases heard, the dates in which they were heard, and the kind of conduct engaged in by the parties with the court. They do not identify any individuals specifically, although, one line does mention a custody dispute involving a 5-year-old male child which was heard in [redacted] on Friday on July 26. The Commission has reviewed and discussed the inquiry which you have made.

To address the opinion which you have sought, the Commission has reviewed the relevant sections of Canon 3 which state in part:

Canon 3. A judge shall perform the duties of judicial office impartially and diligently.

B. Adjudicative responsibilities.

August 27, 2002

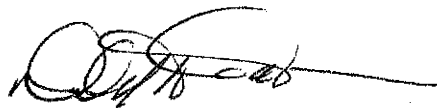
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(9) Except for statements made in the course of official duties or to explain court procedures, a judge shall not make any public or nonpublic comment about any pending or impending proceeding which might reasonably be expected to affect its outcome or impair its fairness. The judge shall require similar abstention on the part of court personnel subject to the judge's direction and control.

Based upon the information which you have provided, it is the opinion of the Commission that as long as you comply with the relevant provisions of Canon 3B(9) and disclose only information that is generic in nature and public, you may utilize the proposed information which you have provided. You should make sure that none of the confidentiality provisions of the statute are violated in any information which is provided from your court.

It is hoped that this opinion fully addresses the question which you have raised. If you have any further questions regarding this opinion or other matters do not hesitate to contact the Commission.

Very truly yours,

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

Donald H. Cookman, Chairperson
Judicial Investigation Commission

DHC:nb