April 30, 2004

JIC Advisory Opinion 2004-16

Dear Judge   :

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion regarding whether it is proper for the Humanities Council to make a contribution at the request of the Dean to the law school from which you graduated in lieu of presenting the Dean of the law school with an honorarium. You state in your letter that in December of last year the   contacted you and asked if you would assist in obtaining a speaker to commemorate the 50th anniversary of <u>Brown v. Board of Education</u>. You said that you are a 1972 graduate of   School of Law and were therefore able to obtain a speaker,   . The   had money to provide an honorarium to   , however he has asked that the   make a donation in your name to the school of law in lieu of an honorarium to himself. You did not request this and were not aware of this until you received an e-mail before your letter to the Commission. You do not know the amount of the donation and you are not seeking to know the amount of the donation to the law school.

The Commission has reviewed the relevant sections of Canon 4D(5) of the Code of Judicial Conduct to address the request which you have made. It can find nothing in the relevant sections of the Canon which would prohibit the action which you have stated in your letter. For that reason, it is the opinion of the Commission that the honorarium could be donated to the law school from which you graduated in your name in lieu of presenting the Dean of the Law School with an honorarium when he appears as a speaker.

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

Very truly yours,

Fred L. Fox, II, Chairperson
Judicial Investigation Commission

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