



JUDICIAL INVESTIGATION COMMISSION

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May 17, 2004

JIC Advisory Opinion 2004-17

Dear Judge :

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. In your correspondence you stated that you have been sponsoring a golf outing for attorneys at Country Club. The event has never been a political fund raiser or charitable event. The players are charged enough to cover the expenses of golf, meals, tips and prizes. The event is generally referred to as

, which is the organization that provides the volunteers who act as Court Appointed Special Advocates, in abuse and neglect proceedings in Counties, has asked you if they could use the event to raise money by having players or their law firms sponsor tees or greens by paying a fee and having a sign recognizing the players' support of . No money from the participation fee would go to and you would not solicit any contributions nor would the notice to the participants indicate that would solicit contributions. You would, however, supply with names of attorneys or firms who have participated in the past or who sign up this year. You asked whether the above described format would violate any ethical provision of the Code of Judicial Conduct.

The Commission has reviewed your request at its recent meeting and has reviewed relevant sections of Canon 4 of the Code of Judicial Conduct to address that inquiry. 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. . . .

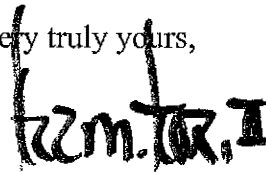
(b) A judge should not solicit funds for any education, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of office for that purpose. . . .

Based upon the information which you have provided the Commission, it is the opinion of the Commission that the golf outing as you describe it is appropriate since it does not involve any fund raising. However, the procedures which would be followed for “

”, would in the opinion of the Commission constitute, at least an indirect solicitation of funds or the use of your office for that purpose. For that reason it is the opinion of the Commission that the golf outing could not be used in the way which you describe in your correspondence relative to the procedures to be utilized for the _____ organization.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Fred L. Fox, II". The signature is stylized with a large, bold "F" and "L", and a smaller "Fox, II" following it.

Fred L. Fox, II, Chairperson
Judicial Investigation Commission

FLF, II:nb