



JUDICIAL INVESTIGATION COMMISSION

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July 20, 2004

JIC Advisory Opinion 2004-21

Dear Judge :

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. In that letter you stated you were asked by a young man if you needed work done around your house and you stated that you did. You stated that the young man is a good laborer and you would like to hire him for work that may take a week or two to complete. You stated that he is a frequent litigant in your court because of his child support arrears. He is currently paying child support and making progress on the arrears. You asked whether it would be proper to hire him.

The Commission, has reviewed your request and based on the requirement in Canon 2 that a judge avoid impropriety and the appearance of impropriety in all of the judge's activities, decided that it would not be appropriate for you to employ this person who is a frequent litigant in your court. The members who felt that it would be okay to employ the individual still felt that you must recuse yourself in that event. The consensus of the Commission was however, that you should not employ this individual because he is a frequent litigant in your court.

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, which appears to read "Fred L. Fox, II", is written over a circular embossed seal of the Judicial Investigation Commission.

Fred L. Fox, II, Chairperson
Judicial Investigation Commission

FLF, II:nb