



## JUDICIAL INVESTIGATION COMMISSION

Post Office Box 1629  
Charleston, West Virginia 25326-1629  
(304) 558-0169 • FAX (304) 558-0831

August 22, 2006

Re: JIC Advisory Opinion 2006-10

Dear

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. You stated that you have been contacted by a local organization located in \_\_\_\_\_ County requesting that you write a letter of support for their organization. The organization intends to use this letter to pursue its licensure and subsequently for the purposes of fund-raising. The organization is a Christian based women's support group which seeks to establish a women's shelter in \_\_\_\_\_ County for the purpose of providing shelter, Christian based counseling and other various family support services for women in crisis. You believe the services are positive and needed, however, you asked for an advisory opinion as to whether you may appropriately lend your support by way of the requested letter. Your concern arises from the fund-raising component, the religious affiliation and the appearance of what may be considered to be gender bias.

To address the question that you have raised, the Commission has reviewed Canon 4 of the Code of Judicial Conduct, which 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.

- 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 on the judge's impartiality or interfere with the performance of the judge's judicial duties. . . .

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- (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 purposes; . . .

The relevant sections of Canon 4 prohibit a judge from soliciting money on behalf of an organization or using the prestige of office for that purpose. In your correspondence you stated that the letter, which you would write, would ultimately be used for purposes of fund-raising. It is the opinion of the Commission that you should not write such a letter since it would be contrary to the relevant provisions set forth in Canon 4.

It is hoped that this opinion fully addresses the question that 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 dark ink, appearing to read "Fred L. Fox, II". The signature is stylized with a large "F" and "L" and a prominent "I" at the end.

Fred L. Fox, II, Chairperson  
Judicial Investigation Commission

FLF,II:nb