



## JUDICIAL INVESTIGATION COMMISSION

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

March 26, 2007

Re: JIC Advisory Opinion 2007-04

Dear

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. In that correspondence you stated that the City Police Department has asked you to participate in a video that they plan to do for educational purposes in reference to underage drinking. The video would show the dangers of underage drinking and what happens if arrested. They want you to do the initial appearance after the "said arrest." It is your understanding that the program is paid for by a Governor's Grant particularly called the Basic Program which requires the underage drinker to take classes as well as do community service. You asked whether your appearance in the video would be an ethics violation since the City Police do appear in your court on a regular basis.

In reviewing your request and addressing the concerns that you have raised, the Commission reviewed relevant portions of Canon 4 of the Code of Judicial Conduct. That Canon 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.

- B. Avocational activities. - A judge may speak, write, lecture, teach, and participate in other extra-judicial activities concerning the law, the legal system, the administration of justice, and non-legal subjects, subject to the requirements of this Code.


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Based upon the language contained in this section of Canon 4, it is the opinion of the Commission that you could engage in the activities you described in your correspondence. Your appearance in the video would be permitted since it would be an effort on your part to educate the public about the legal system and the administration of justice.

It is hoped that this opinion fully addressed 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,

A handwritten signature in dark 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