



**JUDICIAL INVESTIGATION COMMISSION**

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

October 31, 2007

Re: JIC Advisory Opinion 2007-24

Dear

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. You inquired about whether a judicial candidate in a non-election year who has filed pre-candidacy (during the four years proceeding an election as required) and has a committee, could begin campaigning as if it were an election year.

The Commission could find no provision of the Code of Judicial Conduct which would prohibit the activity which you suggest in your letter. The individual involved must follow all of the provisions of Canon 5 of the Code of Judicial Conduct as well as all of the laws of the State of West Virginia relative to elections.

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,

A handwritten signature in dark ink, appearing to read "Fred L. Fox, II", is written over the typed name.

Fred L. Fox, II, Chairperson  
Judicial Investigation Commission

FLF,II:nb