



JUDICIAL INVESTIGATION COMMISSION

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

June 12, 2009

Re: JIC Advisory Opinion 2009-14

Dear

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. In your correspondence you enclosed a letter which you received from "A Child's Place CASA, Ltd.", which is the organization that provides volunteers who act as court appointed special advocates in abuse and neglect proceedings in your circuit. In that letter you were asked if you could participate as one of the "celebrity servers" in their fund-raising event.

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

C. Government, 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 educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of office for that purpose; . . .

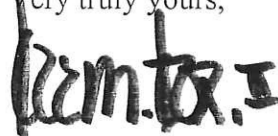
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As you note in your correspondence, the use of "celebrity servers" would be in the fund-raising event which would be sponsored by the organization. The language in Canon 4 herein cited above states clearly that a judge may not solicit funds for any organization or use or permit the use of the prestige of office for that purpose. For these reasons it is the opinion of the Commission that you should not serve as a "celebrity server" at this event.

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 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:nb