



JUDICIAL INVESTIGATION COMMISSION

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May 10, 2010

Re: JIC Advisory Opinion 2010-06

Dear Judge

Your correspondence to which requested an advisory opinion has been sent to this office. The Commission reviewed your correspondence at its last meeting. In your letter you state that your secretary wishes to serve as a poll worker and has worked the polls in excess of ten years and wishes to continue. You asked whether it would be appropriate for your secretary to continue serving as a poll worker.

As you know, the Code of Judicial Conduct places restrictions on the kinds of activities judges may engage in. Also, the Code at least indirectly places certain restrictions upon judicial employees because of their proximity to judicial officers and judicial activities. Among other things the Code requires a judge to avoid impropriety and the appearance of impropriety in all of the judge's activities and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary. A judicial secretary works closely with a judge and is privy to the court's correspondence, rulings, and internal workings. Because of this the public may view a judicial secretary or other judicial staff as an extension of the judge because of the kind of work they are engaged in and the constant communication which occurs between the judicial employee and the judge.

After reviewing your correspondence and discussing it, the Commission feels that your secretary should not serve as a poll worker because of the probability that the public would view your secretary and other judicial employees as an extension of the judicial office.

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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 "Ronald E. Wilson", with a long horizontal flourish extending to the right.

Ronald E. Wilson, Vice-Chairperson
Judicial Investigation Commission

REW:nb