



JUDICIAL INVESTIGATION COMMISSION

City Center East - Suite 1200 A
4700 MacCorkle Ave., SE
Charleston, West Virginia 25304
(304) 558-0169 • FAX (304) 558-0831

April 26, 2011

Re: JIC Advisory Opinion 2011-08

Dear Magistrate

In a recent letter to the Judicial Investigation Commission you asked for an advisory opinion. You had attached to your letter a copy of a donation request and two attachments. The donation request was from the County Democratic Executive Committee asking if you would become a recurring monthly donor in the establishment and maintenance of a year-round Democratic Headquarters. They included a statement of the position taken by the Democratic Organization and a form to contribute to the County Democratic Executive Committee.

To address the question which you have raised, the Commission reviewed Canon 5 of the Code of Judicial Conduct. Canon 5 states in relevant part:

Canon 5. - A judge or judicial candidate shall refrain from inappropriate political activity.

C. Judges and candidates subject to public election. - (1) A judge or a candidate subject to public election may, except as prohibited by law:

(a) at any time

(iii) contribute to a political organization . . .

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A “political organization” is defined as “a political party or other group, the principal purpose of which is to further the election or appointment of candidates to political office.”

After a review of your correspondence, it appears that you are permitted to contribute to the political organization under the language contained in Canon 5C(1)(a)(iii).

It is hoped that this opinion fully addresses the question which 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 black ink, appearing to read "Ronald E. Wilson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ronald E. Wilson, Chairperson
Judicial Investigation Commission

REW:nb