



JUDICIAL INVESTIGATION COMMISSION

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

May 17, 2011

Re: JIC Advisory Opinion 2011-10

Dear Magistrate

In a recent letter to the Judicial Investigation Commission you asked if you would be permitted to serve on the _____ County Extension Service Committee as a community member. You stated that the committee serves as an advisory board for the _____ County Extension Service.

The Commission has reviewed your correspondence and the description of the County Extension Service Committee which you provided. To address the inquiry which you have made the Commission reviewed relevant sections of 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. Governmental, 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. A judge may serve as an officer, director, trustee, or other non-legal adviser of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members subject to the following limitations:

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(a) A judge should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before the judge or will be regularly engaged in adversary proceedings in any court.

(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; but a judge may be listed as an officer, director, or trustee of such an organization, so long as the listing is not used for fund-raising purposes. A judge should not be a speaker or the guest of honor at any organization's fund-raising events, but may attend such events.

(c) A judge should not give investment advice to such an organization, but a judge may serve on its board of directors or trustees even though it has the responsibility for approving investment decisions.

Based upon the information which you have provided to the Commission and language contained in the relevant sections of Canon 4, it is the opinion of the Commission that you may serve as a member of the County Extension Service Committee. See, JIC Advisory Opinion 4/15/05, attached hereto.

If you have any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,

Ronald E. Wilson, Chairperson
Judicial Investigation Commission

REW:nb
Enclosure