



JUDICIAL INVESTIGATION COMMISSION

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

February 23, 2012

Re: JIC Advisory Opinion 2012-11.

Dear Mr.

Your request for an advisory opinion to Counsel was reviewed by the Judicial Investigation Commission at its February 10, 2012 meeting. You are a candidate for a seat on the Supreme Court of Appeals. You have a Campaign Committee and a Treasurer. You want to know if the Treasurer can collect contributions through a PayPal button inserted on the campaign's official web page.

Canon 5C(2) of the Code of Judicial Conduct addresses campaign contributions and provides in pertinent part:

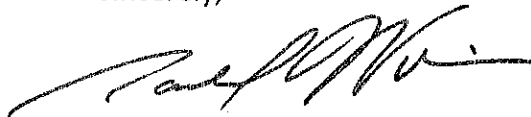
A candidate shall not personally solicit or accept campaign contributions or personally solicit publicly stated support. A candidate may, however, establish committees of responsible persons to conduct campaigns for the candidate through media advertisements, brochures, mailings, candidate forums, and other means not prohibited by law. Such committees may solicit and accept reasonable campaign contributions, manage the expenditure of funds for the candidate's campaign and obtain public statements of support for his or her candidacy. Such committees are not prohibited from soliciting and accepting reasonable campaign contributions and public support from lawyers. A candidate shall not use or permit the use of campaign contributions for the private benefit of the candidate or others.

The Comment to this provision states that "at the start of the campaign, the candidate must instruct his or her campaign committee to solicit or accept only contributions that are reasonable under the circumstances. The Comment also notes that the campaign committees "should manage campaign finances responsibly, avoiding deficits that might necessitate post-election fund-raising, to the extent possible."

Based upon the foregoing, your campaign committee may use a PayPal button on the committee's official web page to collect campaign contributions. The campaign committee should ensure that the contributions are reasonable and that they meet the necessary requirements/limitations prescribed by law.

It is hoped that this opinion fully addresses the issues which you have raised. If there is any further question regarding this matter do not hesitate to contact the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald E. Wilson", written in a cursive style.

Ronald E. Wilson, Chairperson
Judicial Investigation Commission

REW/tat