



## **JUDICIAL INVESTIGATION COMMISSION**

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

March 7, 2012

Re: JIC Advisory Opinion 2012-13.

Dear Judge

Your request for an advisory opinion to Counsel was recently reviewed by the Judicial Investigation Commission. The factual scenario giving rise to your request is as follows: At one point in time, your law clerk worked for a Supreme Court Justice of the Commonwealth of Kentucky. The Justice is running for re-election, and your law clerk wants to contribute to his former employer's campaign. You want to know if it is permissible for your law clerk to make a monetary contribution to the Justice's campaign.

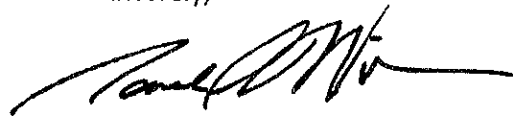
In JIC Advisory Opinion 8/25/1995, the Judicial Investigation Commission held that "based on the language in Canon 5 of the Code of Judicial Conduct [a judicial officer] may contribute to a political organization as defined in the Code of Judicial Conduct; however, [he/she] may not contribute to an individual judge's campaign." Importantly, the Commission also stated that the judicial officer's wife, 18 year old son, 15 year old daughter, 72 year old mother, and adult brother could each contribute to another judge's campaign provided: (1) the money came from an account that was separate from any jointly held with their judicial relative; and (2) the judicial officer/relative could demonstrate that he/she was not involved in making the contribution.

In applying the foregoing to the question at hand, the Commission is of the opinion that if a judicial officer's family can make monetary contributions to another judge's campaign then your law

clerk can also contribute to his former employer's campaign for re-election to the Kentucky Supreme Court. The law clerk's contribution is likewise subject to the restrictions set forth above.

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

Ronald E. Wilson, Chairperson  
Judicial Investigation Commission

REW/tat

