



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 21, 2014

Re: JIC Advisory Opinion 2014-12

Dear

On May 15, 2014, you requested an advisory opinion from the Judicial Investigation Commission on whether it was permissible for you to attend a June 3, 2014 meeting of the Regional Jail Authority's Cost Containment Committee ("CCC").

According to the Regional Jail Authority ("RJA"), the purpose of the CCC is to "discuss ways to improve jail services to local communities" while at the same time controlling costs. The RJA states that it has been holding CCC meetings for a "couple of years" with "representatives from the WV Association of Counties, County Commissioners Association, Municipal League, Supreme Court and other interested parties."

The upcoming meeting will be held at the Southern Regional Jail. It will feature a working lunch, a presentation concerning "the current operational and financial position of the RJA," and a "roundtable discussion on improving services and controlling costs." Afterwards, participants may take a tour of the jail. Beyond attending the June 3, 2014 meeting, you would not have any further involvement with the RJA's efforts to improve services and control costs.

To address your question, the Commission has reviewed Canon 4 of the Code of Judicial Conduct, which directs that "[a] judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations." Subject to that overriding principle, Canon 4B permits a judge to "participate in other extra-judicial

activities concerning . . . the administration of justice.” Likewise, Canon 4C(1) permits a judge to “appear at a public hearing before, or otherwise consult with, an executive or legislative body or official on matters concerning the law, the legal system, or the administration of justice.”

The CCC concerns the administration of justice, and your attendance at the meeting would not appear to violate Canon 4. While attending the meeting, you should not make pledges or promises of how you will conduct yourself as a magistrate other than the faithful and impartial performance of the duties of your office.

If you have any further questions regarding this matter, please 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/sls