



JUDICIAL INVESTIGATION COMMISSION

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

August 22, 2017

Re: JIC Advisory Opinion 2017-18.

Dear

Your recent request for an advisory opinion to Counsel was reviewed by the Judicial Investigation Commission. You want to know if you can serve on the Board of Governors for University. Pursuant to W. Va. Code § 18B-2A-1, *et seq.*, the Governor makes all appointments to the School's Board of Governors.

To address the question which you have raised, the Commission reviewed the Constitution of West Virginia, Article VIII, § 7, which provides in pertinent part:

No justice, judge or magistrate shall hold any other office, or accept any other appointment for public trust, under this or any other government; . . .

The Commission also reviewed Rule 3.4 of the Code of Judicial Conduct which states that "[a] judge shall not accept appointment to a governmental committee, board, commission or other governmental position, unless it is one that concerns the law, the legal system or the administration of justice."

Based upon the foregoing, it is the position of the Judicial Investigation Commission that you cannot serve on the School's Board of Governors because such an appointment would violate the Constitution of West Virginia, Article VIII, § 7 and Rule 3.4 of the Code of Judicial Conduct.

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

contact the Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ronald E. Wilson", with a stylized flourish at the end.

Ronald E. Wilson, Chairperson
Judicial Investigation Commission

REW/tat