



JUDICIAL INVESTIGATION COMMISSION

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

January 18, 2018

Re: JIC Advisory Opinion 2018-01.

Dear

Your recent request for an advisory opinion was reviewed by the Judicial Investigation Commission. The factual scenario giving rise to your request is as follows: you are the Chief Judge for your Circuit and there is an opening for a Probation Officer. While you will be making the hiring decision, the new officer will work predominately under .
Judicial Assistant is . Ms. daughter, who also resides with Ms.
, has applied for and is being considered for the job. You would like to know if the Code of Judicial Conduct prohibits the hiring of Ms. daughter.

The Commission has reviewed the Code of Judicial Conduct to address the question which you have raised. The Commission is of the opinion that the decision to hire a probation officer is an employment issue that falls strictly within the purview of the Circuit Judges and the Court. The Commission therefore declines to issue an opinion. The Commission recommends addressing this employment issue to the Administrative Director of the West Virginia Supreme Court. Should you end up employing the daughter of a Judge's secretary, the judge may want to consider whether disclosure of the relationship is appropriate.

We hope this opinion fully addresses the issue 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 blue ink, appearing to read "Ronald E. Wilson".

Ronald E. Wilson, Chairperson
Judicial Investigation Commission

REW/bjl