



JUDICIAL INVESTIGATION COMMISSION

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

April 23, 2018

Re: JIC Advisory Opinion 2018-09.

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: Due to space limitations, the County Family Court was recently relocated into a commercial building. The Family Court is housed on the 2nd and 3rd floors of the 5 story building. One of the building's current owners is a candidate for the U.S. House of Representatives. The owner displays campaign materials in areas of the building not leased to the Family Court including the lobby on the 1st floor. You would like to know if the campaign materials are in violation of the Code of Judicial Conduct, particularly because West Virginia Code §3-3-2a prohibits campaigning on Courthouse property or annex facilities during the period of "early voting".

The Commission has reviewed the Code of Judicial Conduct to address the question which you have raised. The Commission is of the opinion that this question does not concern any rule of the Code of Judicial Conduct since the activity is not occurring on your floors and you have no control over activity occurring in other locations. Therefore any question about the appropriateness of campaign signs should be addressed by the Secretary of State.

Thank you for your inquiry. If you have any further questions regarding this matter please do not hesitate to contact the Commission.

Sincerely,

A handwritten signature in blue ink, which appears to read "Ronald E. Wilson", is written over a horizontal line.

Ronald E. Wilson, Chairperson
Judicial Investigation Commission

REW/bjl