



JUDICIAL INVESTIGATION COMMISSION

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

February 15, 2022

Re: JIC Advisory Opinion 2022-11

Dear :

Your recent request for an advisory opinion was reviewed by the Judicial Investigation Commission. A chief probation officer is also a certified mentor for the Mountaineer Challenge Academy. A juvenile who is currently in detention awaiting placement has been given permission to apply for the Mountaineer Challenge Academy. If accepted, she will go on probation until she obtains her HiSet. She needs a female mentor and the chief probation officer wants to know if she can serve as the girl's mentor. She is not the probation officer assigned to the juvenile. You want to know if she can serve in that capacity.

The Commission is of the opinion that the Chief Probation Officer may serve as the juvenile's mentor for the Mountaineer Challenge Academy as long as she is screened from any participation as a probation officer in the juvenile's criminal case.

We hope that this opinion fully addresses the issue which you have raised. Please do not hesitate to contact the Commission should you have any questions, comments or concerns or desire additional advice.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. Layton Cottrill, Jr.", with a stylized flourish at the end.

F. Layton Cottrill, Jr., Esquire, Vice- Chairman¹
Judicial Investigation Commission

FLC/tat

cc: , Director Probation Services

¹ JIC Chairman Alan D. Moats, Judge of the 19th Judicial Circuit has been appointed as a temporary Justice of the Supreme Court of Appeals of West Virginia beginning February 7, 2022 following the February 6, 2022 resignation of former Justice Evan Jenkins. Judge Moats will serve as a Justice until such time as Governor Justice has filled the vacancy and the appointee takes the bench. Until that time, Judge Moats will serve as a non-voting *ex officio* member of the JIC.