



**JUDICIAL INVESTIGATION COMMISSION**

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

July 1, 2022

Re: JIC Advisory Opinion 2022-16

Dear Judge :

Your recent request for an advisory opinion was reviewed by the Judicial Investigation Commission. You want to know if your law clerk can volunteer with the Center of Consumer Law & Education ("CCLE") located at WVU's College of Law. According to you, your law clerk would assist with academic and legal research in relation to consumer rights, law, policy and education. He would also edit basic finance education materials and help bridge communications between legal practitioners and students. His contact would be limited to the Director of the CCLE and others who are affiliated with the organization. Importantly, he would not be providing any legal advice or any representation to any consumers, and he has indicated that the volunteer work would be done on his own time without the use of any court resources.


To address your question, the Commission has reviewed Rule 3.7 of the Code of Judicial Conduct which states in pertinent part:

- (A) Subject to the requirements of Rule 3.1, a judge may participate in activities sponsored by organizations or governmental entities concerned with the law, the legal system, or the administration of justice and those sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations not conducted for profit, including but not limited to the following activities: . . . .
- (5) making recommendations to such a public or private fund-granting organization or entity in connection with its programs and activities, but only

- if the organization or entity is concerned with the law, the legal system, or the administration of justice; and
- (6) serving as a . . . nonlegal advisor of such an organization or entity unless it is likely that the organization or entity:
- (a) will be engaged in proceeding that would ordinarily come before the judge; or
  - (b) will frequently be engaged in adversary proceedings in the court of which, the judge is a member, or in any court subject to the appellate jurisdiction of the court of which the judge is a member.

Based upon the foregoing, the Commission is of the opinion that your law clerk may volunteer for CCLE as set forth in this letter. 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,



Alan D. Moats, Chairperson  
Judicial Investigation Commission