



JUDICIAL INVESTIGATION COMMISSION

WV Judicial Tower - Suite 700 A
4700 MacCorkle Ave., SE
Charleston, West Virginia 25304
(304) 558-0169

October 20, 2023

Re: JIC Advisory Opinion 2023-24

Dear Judge :

You recently asked the Judicial Investigation Commission to reconsider Advisory Opinion 2020-28 and allow a case-by-case determination regarding judges and magistrates participating as volunteer firefighters and/or emergency medical technicians.

The Commission considered your request at its October 13, 2023 meeting and unanimously declined to revisit the opinion. Therefore, based upon the holding of JIC Advisory Opinion 2020-28, judges and magistrates cannot serve as an EMT or volunteer firefighter while concurrently serving as a judicial officer since the extracurricular activity could result in your frequent disqualification and it could lead the public to conclude, however wrong it may be, that you are biased in favor of first responders.

The Commission hopes that this opinion fully addresses the issues which you have raised. Please do not hesitate to contact the Commission should you have any questions, comments or concerns.

Sincerely,

A handwritten signature in blue ink, reading "Alan D. Moats".

Alan D. Moats, Chairperson
Judicial Investigation Commission

ADM/tat