



JUDICIAL INVESTIGATION COMMISSION

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

November 16, 2023

The Honorable

Re: JIC Advisory Opinion 2023-28

Dear :

Your request for an advisory opinion to Counsel was recently reviewed by the Judicial Investigation Commission. You want to know if you can display a “Stop the GOP” bumper sticker on your private vehicle.

To address your questions the Commission has reviewed Rules 4.1 and 4.2 of the Code of Judicial Conduct which state in pertinent part:

Rule 4.1 Political and Campaign Activities of Judges and Judicial Candidates in General

- (A) Except as permitted by law, or by Rules 4.2, 4.3, and 4.4, a judge or a judicial candidate shall not: . . .
 - (3) publicly endorse or oppose a candidate for any public office;

Rule 4.2 Political and Campaign Activities of Judicial Candidates in Public Elections

- (A) A judge or candidate subject to public election shall:
 - (1) act at all times in a manner consistent with the independence, integrity and impartiality of the judiciary; . . .
..

Based upon the foregoing, the Commission is of the opinion that you cannot publicly display the bumper sticker as it would create the appearance, however wrong it may be, that you are opposed to all Republican candidates running for office in West Virginia in violation of Rule 4.1(A)(3). In addition, the Commission believes that the public may misconstrue the statement in such a way as to cast Republicans in a negative light in violation Rule 4.2(A)(1). Therefore, the Commission believes that you should leave the bumper sticker at home.

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,



Alan D. Moats, Chairperson
Judicial Investigation Commission

ADM/tat