



JUDICIAL INVESTIGATION COMMISSION

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

November 14, 2024

Re: JIC Advisory Opinion 2024-20

Dear :

Your request for an advisory opinion was recently reviewed by the Commission. According to you, there is a longstanding tradition in your circuit of inviting courthouse staff and local lawyers and their personnel to a holiday luncheon in the courtroom each December. Attendees are asked to bring a covered dish or desert or to voluntarily contribute \$15.00 which would go to purchase food, drinks and paper products. You want to know if the Court can continue to host the luncheon.

To address your question, the Commission has considered Rule 3.7(A)(2) of the Code of Judicial Conduct which states:

- (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 conduct for profit, including but not limited to the following activities:
 - (2) soliciting contributions for such an organization or entity, but only from members of the judge's family, or from judges over whom the judge does not exercise supervisory or appellate authority.

Based upon the foregoing, the Commission is of the opinion that you may hold the luncheon and ask for someone to make a dish or dessert but you cannot ask for monetary donations. No member of your staff can accept monetary donations. Moreover, when it comes to lawyers and their staff, you must invite every member of the Logan County Bar. Your invitation should specifically include the phrase, "No monetary donations will be accepted." If monetary donations are necessary to put on the luncheon then the Court cannot sponsor the function or accept donations. However, a third entity, not part of the Court itself, may host the dinner and accept monetary donations.

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