



## **JUDICIAL INVESTIGATION COMMISSION**

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

May 9, 2025

Re: JIC Advisory Opinion 2025-08

Dear :

Your request for an advisory opinion to Counsel was reviewed by the Judicial Investigation Commission. You want to know if your position as a Family Court Judge precludes you from serving either as a volunteer or paid coach for youth sports. The facts giving rise to your question are as follows:

For more than a decade you have coached on a volunteer unpaid basis for youth/little league sports. You have also served as a paid middle school coach for several years. In the 2024-2025 school year, you coached middle school basketball and baseball as an assistant and was paid by the local school board. Meanwhile, on January 1, 2025, you took office as a Family Court Judge. You note that Family Court has limited jurisdiction and you cannot imagine a case involving the board of education for which you would have jurisdiction as opposed to magistrates, circuit judges and appellate judges who are precluded from accepting paid coaching positions by virtue of JIC Advisory Opinion 2024-04 which states in part:

A judge cannot serve as a school coach. A judge's first duty is to his/her position as a judge. Official judicial duties take precedence of all activities. A coach is dependent upon the Board for the position and the salary. The appearance issue is such that it would disqualify and judge/coach from presiding over any Board of Education case. Since the judge would be automatically disqualified from presiding over cases involving the Board, he/she is precluded from serving as a coach. To the extent that this advisory opinion is inconsistent with JIC Advisory Opinion 2011-23, the former opinion is overruled, and judges can no longer serve as either a paid or volunteer coach for a school system.

Since Family Court Judges are unlikely to preside over any Board of Education cases, they are exempted from following JIC Advisory Opinion 2024-04 and can serve as voluntary or paid coaches in the school system as long as they receive the written approval of the Administrative Director as is required for those seeking a part-time employment and do not let the extrajudicial activity interfere in any way with their primary position of judge.

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