



JUDICIAL INVESTIGATION COMMISSION

West Virginia Judicial Tower - Suite 700 A

4700 MacCorkle Ave., SE

Charleston, West Virginia 25304

(304) 558-0169 • FAX (304) 558-0831

September 17, 2025

Re: JIC Advisory Opinion 2025-12

Dear Ms. _____ :

Your request for an advisory opinion to Counsel was reviewed by the Judicial Investigation Commission. You currently serve as a law clerk to the _____

Prior to becoming a law clerk, you were a Deputy Attorney General, where among other things, you taught a series of classes for the _____

The classes you taught are skills-based and non-substantive in nature, focusing on professional development and practical techniques rather than substantive legal or subject-matter instruction. Classes are taught throughout the year in various locations in the United States. You volunteer your time, but the Association pays for travel expenses. Some of the classes are open to anyone, while others are limited to just Attorneys General and their Deputies.

To address your questions, the Commission has reviewed Rule 3.1 of the Code of Judicial Conduct which states:

Rule 3.1 – Extrajudicial Activities in General


A judge may engage in extrajudicial activities, except as prohibited by law or this Code. However, when engaging in extrajudicial activities, a judge shall not:

- (A) Participate in activities that will interfere with the proper performance of the judge's judicial duties;
- (B) Participate in activities that will lead to frequent disqualification of the judge;
- (C) Participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity or impartiality

Based upon the foregoing, the Commission is of the opinion that you may continue to teach classes for the as long as: (1) your judicial duties as law clerk take precedence; (2) the teaching is done on your own time and no court resources are used in the development or marketing of the course; (3) the class is open to all prosecution and defense entities; and (4) you receive permission from your immediate supervisor.

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/bjl