



## JUDICIAL INVESTIGATION COMMISSION

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

April 20, 2026

via: email and U.S. Mail

Re: JIC Advisory Opinion 2026-03

Dear Judge :

Your request for an advisory opinion to Counsel was reviewed by the Judicial Investigation Commission. You are a family court judge. Your husband recently became an approved family court mediator. He is certified to accept state-paid appointments to mediate parenting issues in family court cases involving indigent litigants and appointments that require the parties to pay for that service. You want to know if your husband can accept appointments outside your circuit to mediate family court cases.

The answer to your question is yes. Please be advised that if you are appointed Special Family Court Judge in a case outside your circuit, you determine whether your husband has had any involvement in the matter. If he is or has been involved then you are precluded from presiding over that matter as a special 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,

A handwritten signature in blue ink that reads "Alan D. Moats".

Alan D. Moats, Chairperson  
Judicial Investigation Commission

ADM/tat