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

June 11, 2026

via: Email

Re: JIC Advisory Opinion 2026-05

Dear :

Your request for an advisory opinion to Counsel was reviewed by the Judicial Investigation Commission. You recently became aware of a graduate-level degree program offered by the National Judicial College through the University of Nevada at Reno ["Reno degree program] for law school graduates who are serving as full-time judges at the time of their application. You state that judges who have attended other programs by the National Judicial College generally report that courses are highly applicable to their work and helps them better perform their judicial duties. Several judges who are aware of the graduate degree program have expressed interest in enrolling.

Currently, the Court's Education Policy and Guidelines provides that employees and judicial officers may seek educational opportunities at the Court's expense. Section 3 sets forth the guidelines. Employees may apply for Court sponsorship of higher education programs, including graduate-level degrees but "court sponsorship or reimbursement will not be available to judicial officers applying for higher education or degree programs." In light of the Reno degree program, you would like to revise the education policy to include judicial officers who seek graduate programs offered only by the National Judicial College.

You want to know if this action would cause judges who seek reimbursement to violate Rule 1.3 of the Code of Judicial Conduct which states:

Rule 1.3 – Avoiding Abuse of the Prestige of Judicial Office

> A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others or allow others to do so.

You indicated that degree work would be completed during off-duty hours and participating judges would be subject to the same repayment requirements as all other employees.

The Court and the Code strongly support extrajudicial activities that concern the law, the legal system or the administration of justice. See Rules 3.1 and 3.7. Indeed, Comment [1] to Rule 3.1 states that judges are "permitted and encouraged to engage in educational" activities.

Based upon the foregoing, the Commission finds no violation of any of the provisions of the Code of Judicial Conduct as long as the work is done on the judge's own time and he/she is required to comport with the same rules and/or receive the same benefits as an employee of the Court who sought a graduate degree pursuant to the Court's Education Policy and Guidelines.

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