

Judicial Ethics Advisory Opinions

2001

Alabama Advisory Opinion 00-765

A judge may serve on an advisory board concerning the use of local law enforcement block grant funds.

Alabama Advisory Opinion 00-766

A judge's disqualification based on the appearance of counsel involved in a class action in which the judge participated does not continue after the class action is over.

Alabama Advisory Opinion 00-767

A judge may serve on the board of directors of a YMCA that operates a rehabilitation service program to which the judge may refer youths as an alternative to incarceration.

Alabama Advisory Opinion 00-768

A judge may not write a letter to members of the local bar association soliciting support for the local legal aid program.

Alabama Advisory Opinion 01-769

A judge may not hear a property dispute action by the Episcopal Church in a particular diocese against a church and its minister, warden, and vestry if the judge is a member of another church in the same diocese and the issues to be decided in the case concern who owns the real property and church building.

Alabama Advisory Opinion 01-770

A probate judge should not hear a case involving a party for whom the judge previously served as guardian or federal fiduciary/payee for two years or if the case involves a matter previously litigated while the judge served in that capacity. A probate judge may re-appoint as the general conservator for the county an individual who is associated with the law firm of which the judge was a member before becoming a judge.

Alabama Advisory Opinion 01-771

A judge is not disqualified from a case when it is alleged the judge has personal knowledge of disputed evidentiary facts due to prior service as city attorney for the defendant city if the judge does not have actual knowledge of such facts.

Alabama Advisory Opinion 01-772

A newly elected judge may not continue to act as an attorney in cases that are expected to be concluded within 90 days after the judge takes office.

Alabama Advisory Opinion 01-773

A judge who regularly hears cases in which a city is a party may not sign, using the judge's title, a letter soliciting city funding for a scouting program.

Alabama Advisory Opinion 01-774

A judge who is a trustee for a university is disqualified from a personal injury action in which the defendants are doctors employed at the university hospital.

Alabama Advisory Opinion 01-775

A judge is not disqualified from cases in which a party is represented by an attorney who is a member of a law firm to which a referee appointed by the judge formerly belonged if the referee does not participate in the case. A judge should not permit a referee to hear cases in which a former law partner of the referee served as a lawyer while they practiced together or in which the referee's former firm is involved as long as the firm continues to pay the referee's health insurance premiums.

Alabama Advisory Opinion 01-777

A probate judge who is disqualified from a case may not appoint a temporary probate judge to hear the case.

Alabama Advisory Opinion 01-778

A judge whose judicial assistant is employed part-time by an attorney is disqualified from cases involving the attorney or his firm.

Alabama Advisory Opinion 01-779

A judge whose spouse previously represented a party in a divorce/custody case is disqualified from hearing a petition to establish paternity and obtain custody of the same minor child.

Alabama Advisory Opinion 01-780

A judge who is on an advisory committee for a community college that was the beneficiary of a trust is disqualified from a case alleging that the trustees converted millions of dollars that should have been used for charitable purposes even after the judge resigns from the committee and is disqualified from a present and any future petitions for partial accounting of the trust if alleged irregularities occurred during the judge's tenure on the committee. The judge is not disqualified from annual petitions to review and approve the statements of account of the trustees of another trust that has a clause providing for charitable beneficiaries.

Alabama Advisory Opinion 01-781

A judge is not disqualified from cases involving an attorney who rents office space to the judge's son, who also is an attorney, where, although their offices are in the same building, they hold themselves out separately and have separate signs and stationery.

Alabama Advisory Opinion 01-782

A judge may hear a case in which an acquaintance is a party even if the judge recused from another case in which the party's husband was a defendant because the judge's husband owned stock in a corporate party for which the current party's husband was president.

Alabama Advisory Opinion 01-783

A judge who received campaign contributions from the Democratic Party and an endorsement from the Alabama Democratic Caucus is not disqualified from a case in which a defendant is the vice-chair of minority affairs for the Alabama Democratic Party and chair of the Alabama Democratic Caucus.

Alabama Advisory Opinion 01-784

A pro tempore municipal judge who serves on appointment by the mayor when the full-time municipal judge is absent or disqualified may represent clients in the municipal court.

Alabama Advisory Opinion 01-785

A judge whose daughter works as a secretary with the law firm that represents the city is not disqualified from city appeal cases.

Alabama Advisory Opinion 01-776

A judge is not disqualified from a case in which the plaintiff allegedly told the defendant that there was no way the defendant will prevail because the plaintiff's attorney is a "good friend" of the judge where the judge and the attorney have no social relationship; have never been to each other's homes; and have never engaged in any recreational activity together although the judge's 1994 campaign received \$100 each from the plaintiff's attorney, the attorney's firm, and another partner in the firm.

Alabama Advisory Opinion 01-786

A judge is not disqualified from a case in which parties are represented by an attorney who was the judge's opponent in a recent campaign.

Alabama Advisory Opinion 01-787

A judge may not hear a case for which a close relative of the judge actively assisted trial counsel with case evaluation and preparation even if the relative does not appear in court or personally advise the client.

Alabama Advisory Opinion 01-788

A judge whose two uncles own one of several bonding companies in the judge's jurisdiction may require a defendant to post bond through a bonding company if the judge does not know which company the defendant will select but may not preside if the judge knows that the judge's uncles will become the bondsmen, may not rule on a motion to increase or decrease a defendant's bond if the judge knows the uncles are the bondsmen,

and may not issue or set aside a conditional bond forfeiture against the judge's uncles' bonding company.

Alaska Advisory Opinion #2001-01

A judge may serve on a state Children's Justice Act task force created by federal statute that requires state judge membership if involvement is limited to public policy positions that are appropriate for the courts and do not concern the investigation and prosecution of child abuse and neglect where the task force has balanced membership, including both defense and prosecution and appears to be chiefly concerned with administrative solutions to child-abuse problems.

Arizona Advisory Opinion 01-1

A trial judge may speak personally to a discharged jury following the return of a verdict if the judge informs counsel for all parties of the judge's intention to meet with the jury and gives them an opportunity to be present or to request that the meeting be on the record; admonishes the jurors before the meeting that he or she cannot answer questions regarding matters still pending (such as sentencing) and prohibits any statements from the jurors on such matters; and expressly and firmly prohibits any discussion of the jury's deliberation. A judge may give jurors a letter or certificate thanking them for their service if the document is limited to an expression of appreciation and is routinely sent as a matter of general court policy.

Arkansas Advisory Opinion 2000-11

An assistant city attorney for one city may serve as a part-time municipal judge in another city.

Arkansas Advisory Opinion 2000-13

A judge's spouse may take a job that would require the spouse to solicit various local businesses for business for the spouse's employer, which provides accounting and bookkeeping services and advice about workers compensation insurance, employer-employee relations, taxes, and other business-related matters.

Arkansas Advisory Opinion 2001-1

A judge may serve on the board of advisors for legal assistants at a state community college.

Arkansas Advisory Opinion 2001-2

A judge may not be a judicial fellow of the Association of Trial Lawyers of America but may receive free ATLA publications, accept complimentary registration at ATLA conventions, and speak at ATLA programs.

Arkansas Advisory Opinion 01-3

A municipal judge may contact, orally or in writing, members of the supreme court, bar association, and general assembly regarding implementation of a constitutional amendment as it pertains to municipal courts and judges and may use judicial letterhead to do so.

Arkansas Advisory Opinion 2001-4

A judge who is subpoenaed to testify in a perjury trial about the defendant's testimony in a trial over which the judge presided should abide by the law and the code of judicial conduct.

Arkansas Advisory Opinion 2001-5

The provision of the code of judicial conduct prohibiting judicial campaigns fund-raising prior to 180 days before a primary election applies even though a recent constitutional amendment moved the general judicial election from November to May.

Delaware Advisory Opinion 2001-1

A judge may serve as a volunteer judge in a teen court program.

Delaware Advisory Opinion 2001-2

A judge may serve on the board of directors of a not-for-profit charter school.

D.C. Advisory Opinion 9 (2001)

A judge whose spouse is corporation counsel (i.e., chief legal office) of the District of Columbia is, absent waiver, disqualified from (1) post-adjudication neglect reviews even if the assistant corporation counsel appearing is six levels removed from the judge's spouse and even if the spouse's office implemented a procedure that relieved the spouse of supervisory responsibility over those cases; and (2) all criminal cases and civil matters where the District of Columbia is represented by the office of the corporation counsel.

Florida Advisory Opinion 00-29

A candidate may not publicize an endorsement by a political party even if the endorsement was obtained without being interviewed.

Florida Advisory Opinion 00-36

A part-time juvenile dependency hearing officer assigned to one or more counties in a circuit may not represent criminal defendants in county or circuit court matters in any of the counties in the circuit even those in which he/she does not sit. A part-time juvenile dependency hearing officer assigned to one or more counties in the circuit may not

represent litigants in family law cases, domestic violence, or delinquency cases in any of the counties in the circuit even those in which the hearing officer does not sit.

Florida Advisory Opinion 01-01

A judge may not endorse a candidate for the Florida Bar Board of Governors.

Florida Advisory Opinion 01-02

A judge may read the postings on an e-mail forum composed of real estate lawyers but may not ask or respond to questions.

Florida Advisory Opinion 2001-3

A judge may not participate as a spokesperson in an advertising campaign by the Florida Department of Highway Safety and Motor Vehicles encouraging the use of child restraint seats and seat belts and advising as to the law regarding the mandatory use of child restraint seats.

Florida Advisory Opinion 2001-4

A retired judge who has removed his or her name from the list for senior judge assignments may take part in the judge's child's judicial campaign by providing advice and making financial contributions but should take great care not to use the judge's former title nor allow the title to be used in connection with any political campaign.

Florida Advisory Opinion 2001-5

A judge whose spouse is the elected public defender may not preside over any cases in which assistant public defender appear even if the judge's spouse has attempted to remove herself or himself from direct and indirect supervision of assistant public defenders assigned to the judge's court. A judge need not disclose the relationship when the judge serves on weekend or holiday first appearance duty before a public defender has been appointed in a case but should ensure that defendants at first appearances have not already had the public defender appointed in another proceeding, in which case, disclosure would be required.

Florida Advisory Opinion 2001-6

A judge has the duty to investigate whether a suspended attorney is engaging in the unauthorized practice of law in the judge's court and disclose to the Florida bar if the judge's investigation discloses a reasonable possibility that the unauthorized practice of law is taking place. A judge who was previously employed as a law clerk by a now-suspended attorney who appears before the judge pro se need not disclose the previous relationship or enter a disqualification.

Florida Advisory Opinion 2001-7

A judge with specialized knowledge may serve on the board of advisors for a professional reference publication about the criminal justice system and the mentally ill.

Florida Advisory Opinion 2001-8

A judge may preside over cases where the court reporter is an employee of a court reporting service owned by the judge's spouse as long as the judge isolates himself or herself from the decision leading to the spouse's employment as the court's contract court reporter; the judge is not required to advise counsel and litigants that the judge's spouse's company is reporting trials over which the judge is presiding.

Florida Advisory Opinion 2001-9

A judge may help decorate a hall where a fund-raising event for a charity is to be held and may assist in setting the value of items to be auctioned at the event. A judge may donate items to be auctioned at a charity fund-raising event but the source of the donation may not be noted by the organization. A judge may not participate as a featured speaker at a fund-raising roast of a prominent local figure. A judge may serve as president or other officer of Rotary International, attend fund-raising functions, and participate in planning fund-raising events but may not preside over any fund-raising event. A judge may not allow a not-for-profit organization to auction off dinner and drinks for twelve in the judge's home as part of a fund-raiser. If the judge's spouse chooses to hold such an event in the home of the judge, the judge may not be present during the event. A judge who lives in a historical home may not allow charitable organizations to use the judge's home for fund-raising purposes. If the judge's spouse decides to allow charitable organizations to use the judge's home for fund-raising events, the judge must vacate the home during the event.

Florida Advisory Opinion 2001-10

A judge who has been assigned to a satellite courthouse for a number of years, and is due to be reassigned to the main courthouse may accept a gift from the bar association in appreciation but must report the gift.

Florida Advisory Opinion 2001-11

A judge who jointly owns a lakeside trailer used for fishing with the elected state attorney and four others is disqualified from all cases involving the state attorney's office.

Florida Advisory Opinion 2001-12

An appellate court judge may allow the judge's law clerk to serve on the board of directors at Florida legal services.

Florida Advisory Opinion 2001-17

A judge is not disqualified from cases in which a party is represented by a law firm that previously represented the judge's spouse's law firm in a legal malpractice action but should disclose the previous representation for a reasonable period of time.

Florida Advisory Opinion 2001-13

A judge may belong to the American Israel Public Affairs Committee, a lobbying group that conducts its activities in Washington, D.C.

Florida Advisory Opinion 2001-14

A judge may not continue to serve on a domestic violence council if the council appears to have become an advocacy group. A judge may be a member of a domestic violence council even if some members operate for-profit batterers' intervention programs. Judge may attend domestic violence council meetings and answer questions about court procedures.

Florida Advisory Opinion 2001-15

A judge may not be a member of a voluntary bar association that endorses judicial candidates.

Florida Advisory Opinion 2001-16

A judge may not serve on a municipal government children's commission that decides what agencies will receive funds and ensures accountability.

Georgia Advisory Opinion 233 (2000) (withdrawing and overruling opinion 230)

A part-time judge may not serve as a member of the general assembly.

Georgia Advisory Opinion 234 (2001)

A clerical employee of a police department may not serve as a magistrate even in a different county.

Hawaii Advisory Opinion 01-00

A per diem judge may write a letter to the editor of a newspaper endorsing a specific legislative proposal and lobby the legislature in support of the proposal but should take care not to use or appear to use the prestige of judicial office. A per diem judge may not testify before the legislature on anything other than a matter concerning the law, the legal system, or the administration of justice. A per diem judge should not communicate with the chief justice or governor to comment on judicial candidates unless specifically invited to do so. A per diem judge is discouraged from testifying on behalf of a judicial candidate and in any event special caution should be exercised when a judge decides to testify at a Senate confirmation hearing.

Hawaii Advisory Opinion 01-1

A judge may not order that attorneys or litigants pay a fine for civil contempt or other sanctionable conduct to a specific charity or to a charity or worthy cause to be selected by the person being sanctioned.

Illinois Advisory Opinion 01-1

A judge is disqualified from cases pending at the judge's former law firm while the judge practiced there and all cases involving the former firm for three years after the judge left.

A judge is disqualified for 7 years from all cases involving a client that the judge represented while practicing with the firm even if the judge's representation did not involve the matter now before the court.

Illinois Advisory Opinion 01-2

A judge is disqualified from cases in which the law firm of the judge's spouse is entitled to a referral fee if the spouse's interest in the case is more than de minimus considering the nature of the case (in particular its financial or other impact on the relative's firm); the relative's position in the firm as partner, shareholder, associate, or of counsel; and the size of the firm.

Illinois Advisory Opinion 01-3

A judge may not be a guest of honor at a non-fund-raising event held by a non-profit organization that contracts with the Department of Children and Family Services whose employees are caseworkers that regularly testify in adversary proceedings before that judge.

Illinois Advisory Opinion 01-4

A judge may not receive an award at a charitable organization's dinner if during the dinner pledge cards seeking financial donations will be distributed and the keynote speaker will explain the organization's work and urge the attendees to be generous in their support.

Illinois Advisory Opinion 01-5

A judge may not be a guest of honor at a civic organization's fund-raising event even if the judge's name would not be used on any invitations or promotional materials for the dinner.

Illinois Advisory Opinion 01-6

A judge may be a speaker on non-legal subjects at a church service where fund-raising would not take place at the service.

Illinois Advisory Opinion 01-7

A judge may respond to a request from the local major political township board for the judge's personal knowledge as to the reputation for integrity and moral and financial stability of a lawyer being considered for appointment to the board.

Illinois Advisory Opinion 01-8

A judge may not accept complimentary membership as a "judicial fellow" with associated free membership benefits in a specialized bar association if such membership may give the appearance of favoritism toward a particular class or category of litigants. A judge may attend a specialized bar association's convention if the event serves to honor the judiciary or concerns the law, the legal system, and/or the administration of justice, but does not raise questions of the judge's impartiality. A judge may accept complimentary publications from a specialized bar association on the same basis as from any other publisher.

Illinois Advisory Opinion 01-9

A judge's spouse may host an event for a political candidate in their home, and the judge may attend the event.

Illinois Advisory Opinion 01-10

A judge may serve on a board of directors of a not-for-profit organization for "drug court" professionals organized pursuant to supreme court direction.

Illinois Advisory Opinion 01-11

A judge may be feted at a post-investiture party sponsored by his or her former law firm as long as it is not intended to advance the interests or status of the law firm and the judge should be concerned about the magnitude or extravagance of the celebration and the number and nature of those invited.

Indiana Advisory Opinion 1-01

A judge must carefully follow the rule governing temporary restraining orders when a petition for an ex parte temporary custody order is filed by requiring the petitioner to state by affidavit specific facts showing that immediate and irreparable harm will result before an adverse party may be heard in opposition and to certify in writing any efforts made to give notice and the reasons supporting the claim that notice should not be required and by carefully determining whether these elements have been established.

Indiana Advisory Opinion 2001-2

Pursuant to an Indiana code provision stating that a judge may not be a member of a government commission concerned with issues of fact or policy or matters other than the improvement of the law, the legal system, or the administration of justice, "except with prior approval of the Indiana Supreme Court," a judge seeking the court's approval of an appointment or reappointment to a governmental committee or commission not directly and exclusively related to the law, the legal system, or the administration of justice should request the leave in writing, setting out fully the purpose and function of the commission, the judge's proposed role on the commission, by the whom the judge would be appointed, the term of the appointment, the estimated time that the judge would be expected to devote to the commission's work, and as any other information from which the justices may assess whether the appointment is appropriate, such as whether the committee is or may be involved in litigation or controversial or contentious issues or conclusions.

Kansas Advisory Opinion JE-104 (2001)

A judge may serve on the board of directors of the local United Way.

Kansas Advisory Opinion JE-105 (2001)

A judge may serve as honorary vice consul of another nation, which involves receiving and transmitting to the consul general documents relating to the opening of estates of

citizens of that country, to the issuing or renewing of passports, and the issuance of visas on foreign passports; issuing certificates of existence in life for pension use, issuing certification and legalization without charge, and keeping lists of citizens of the nation and of signatures of local authorities.

Kansas Advisory Opinion JE-106 (2001)

A judicial candidate may contribute to his or her political party.

Kansas Advisory Opinion JE-107 (2001)

A district magistrate judge who also serves as a municipal judge may hear municipal court cases on weekdays between 8:00 a.m. and 5:00 p.m. as long as the time spent does not interfere with the judge's primary duties.

Kansas Advisory Opinion JE-108 (2001)

A judge may not permit a defendant who has been convicted of a misdemeanor to make a contribution to a charity of the defendant's choice in lieu of imposing the usual fine of \$300.

Louisiana Advisory Opinion 163 (1999)

A judge may serve on the board of directors of a non-profit organization that raises awareness of and support for an intensive drug probation court.

Louisiana Advisory Opinion 165 (2000)

A judge may serve on the board of directors of the local United Way but may not serve as chair of the board of directors.

Louisiana Advisory Opinion 171 (2000)

A judge whose sibling is a partner in a law firm in which an assistant district attorney is an associate may preside in cases involving the assistant district attorney.

Louisiana Advisory Opinion 172 (2001)

A judge who is being represented by a law firm must disclose the relationship whenever the firm appears in a case before the judge regardless of the size of the firm.

Louisiana Advisory Opinion 173 (2001)

A judge may preside over a matter involving a law firm that represented a party in an unrelated matter in which the judge's denial of a motion to recuse and judgement on the merits are pending on appeal.

Louisiana Advisory Opinion 174 (2001)

A judge may become a member of an organization that provides educational services, child advocacy services, and speaking engagements on issues concerning children and families.

Louisiana Advisory Opinion 175 (2001)

A judge may preside over a matter in which one of the attorneys employs part-time the judge's son as a runner in his or her law firm or rents housing to the son provided the judge's son is completely isolated from any and all matters over which the judge presides.

Louisiana Advisory Opinion 176 (2001)

A judge may represent himself or herself in a civil matter arising from an automobile accident.

Louisiana Advisory Opinion 177 (2001)

A judge may serve as an assistant professor at a state university to teach and lecture on the legal issues involving juvenile health treatment for youths in the juvenile justice system and receive a reasonable compensation.

Louisiana Advisory Opinion 178 (2001)

A judge may establish a legal defense fund/committee that will obtain funds to defray legal costs to defend against charges before the Judiciary Commission but should not accept any gifts that might reasonably appear as designed to affect the judgement of the judge or influence the judge's official conduct and should be mindful of the confidentiality provisions for the Commission proceedings.

Louisiana Advisory Opinion 179 (2001)

A judge is not disqualified from cases in which one of the attorneys is representing the judges of that court in litigation against the elected clerk of court.

Maine Advisory Opinion 01-1

A trial judge is not required to report evidence of criminal conduct revealed during the course of a trial to an appropriate investigating or prosecuting authority but may do so under appropriate circumstances; the judge should consider the nature and magnitude of the crime, whether others are aware of it, and the degree to which the public interest might be served if the judge were to make a report, and whether such a report would affect the appearance of the judge's impartiality or affect public confidence in the judiciary.

Maine Advisory Opinion 01-2

A judge may participate in a family-run business of selling Christmas trees.

Maryland Advisory Opinion 131 (2001)

A judge may not write a recurring column on legal matters in a national magazine for compensation.

Massachusetts Advisory Opinion 2000-1

A lawyer about to become a new judge may enter into an agreement with his or her firm pursuant to which the firm will pay the judge a fixed amount at a reasonable rate of interest for his or her interest in the firm on an installment basis over a 10 year period, but the judge is disqualified from cases in which the firm is involved and, if the judge believes the structure of the pay-out will become the sole reason for disqualification in less than 10 years, the judge should attempt to structure the pay-out term to one he or she believes would be congruent with the period the judge believes other reasons would suggest disqualification from the firm's cases.

Massachusetts Advisory Opinion 2000-2

A judge may be given a durable power of attorney by the judge's spouse's uncle and serve as co-executor of his will where they have a close familial relationship.

Massachusetts Advisory Opinion 2000-3

A judge may attend a retirement party held for another judge sponsored by a law firm where the judge has a long association with the firm, personal friendships formed during the association, and does not hear cases in which the firm is involved.

Massachusetts Advisory Opinion 2000-4

A judge may participate in a charity ride that would raise money to fund charitable organizations engaged in AIDS research where the judge will raise the funds to be contributed from the judge's spouse, parents, children, and siblings, but the judge may not allow the sponsors to disclose the judge's profession.

Massachusetts Advisory Opinion 2000-5

A judge may not write a letter in support of a lawyer's petition for reinstatement to the bar.

Massachusetts Advisory Opinion 2000-6

A judge may not permit the university from which he or she graduated to use, in an ad designed to promote the university's visibility, enhance its name-recognition, and generate good will, but not specifically for fund-raising, a picture of the judge taken in front of a university building for purposes of the ad, using the words "become what you believe," in a manner that reasonably can be viewed as the judge's opinion of the likely result of an education at the university.

Massachusetts Advisory Opinion 2000-7

A judge may attend a fund-raising dinner for the Boy Scouts honoring the sheriff and chaired by a state senator as the guest of a neighbor who is president of a bank where the judge already recuses from any matters pertaining to the neighbor or the neighbor's bank.

Massachusetts Advisory Opinion 2000-8

A judge may from time to time hire employees of the court clerk's office to act as babysitters outside work hours but the hiring does set the stage for and creates the possible of future violations that would not exist if the judge hired others to perform those chores.

Massachusetts Advisory Opinion 2000-9

A judge may serve on the board of directors of a community foundation that holds endowments of various charitable organizations, trusts, and foundations and also funds that it has raised for its own philanthropic purposes.

Michigan Advisory Opinion JI-125 (2001)

A judge may not participate in a fund-raiser commonly referred to as "Jail and Bail", "The Great American Lockup," or a "Lockup for Charity," where the judge's primary involvement is to set an amount of money that constitutes a target amount for an individual to pay or try to raise as "bail."

Missouri Advisory Opinion 178 (2001) (withdrawing Opinion 13)

A judge may retain leftover campaign funds from one judicial election to the next. When it becomes clear that the judge will no longer seek further judicial office, the judge should disburse leftover campaign funds in any manner authorized by statute or the canon. A judge should refund a pro rata share to any contributor who requests a refund after an election.

Missouri Advisory Opinion 179 (2001)

A judge should not speak at a continuing legal education program that is sponsored and advertised by a private or public organization that is likely to appear before the judge as a party or attorney for a party. A judges may appear at advertised programs sponsored by bar associations, law schools, or profit groups organized solely to conduct educational programs as long as the judge's title and official position are noted on the program only to the same degree as the titles and positions of the other speakers and is not featured or singled out in the marketing of the program. A judge may appear at in-house programs of organizations likely to appear before the judge, such as law firms, as long as the programs are not publicly advertised and the judge is available for similar programs given by other competing, opposing, or similar organizations. A judge may accept a small stipend for participation in a seminar as long as the amount is reasonable and the same as that received by the other panelists, and the judge may attend a luncheon at the seminar at no cost if the other panelists are also invited to the luncheon.

Nebraska Advisory Opinion 00-3

The presiding judge of the workers' compensation court does not violate the prohibition on acting as a fiduciary when he or she permits the presiding judge's statutory duty of conserving the assets of the Second Injury Fund and the Vocational Rehabilitation Fund.

Nebraska Advisory Opinion 01-1

A judge may welcome law enforcement officers and representatives of victim organizations to a training sponsored by Mothers Against Drunk Driving if the judge does not suggest endorsement of MADD's policy objectives or training goals or otherwise cast doubt on the judge's impartiality.

Nebraska Advisory Opinion 01-2

A judge who previously served as supervising deputy county attorney over the child support enforcement division is disqualified from any proceeding in which the operative facts directly relate to the time the judge was the supervising attorney even if the judge did not have actual knowledge of the case but is not disqualified from any later proceeding involving different and separate facts.

Nevada Advisory Opinion 01-1

A full-time justice court judge may not work as an attorney in Chapter 7 bankruptcy proceedings, accept appointments as a receiver in federal cases, act as an arbitrator, or own and operate an attorney-assisted paralegal service.

Nevada Advisory Opinion 01-2

A judge is not required to disqualify from all matters that were pending in the district attorney's office when the judge was a prosecutor before taking the bench.

Nevada Advisory Opinion 01-3

A judge may not serve on or be listed on an honorary committee for a charitable organization's fund-raising dinner unless the judge is a member of the organization, has a close personal relationship with the organization or the event being celebrated, or is a close personal friend of the person being honored.

New Mexico Advisory Opinion 01-1

A judge may leave his or her campaign account open after the election to receive additional contributions to pay remaining, existing campaign debt and distribute any excess funds received after paying campaign debt to contributors, a charitable organizations, or the state.

New Mexico Advisory Opinion 01-2

Judges should not be listed as the judicial advisory board for CASA on stationery used for fund-raising.

New Mexico Advisory Opinion 01-3

A judge may not own a building that rents office space to an organization to which the court refers criminal defendants for anger management counseling and to an individual who operates a driving improvement program to which the court makes referrals.

New Mexico Advisory Opinion 01-3

A non-lawyer judge may declare personal bankruptcy following the failure of a retail business in which the judge had engaged assuming that the business was not operated in a way that violated the code of judicial conduct and the judge did not treat creditors improperly.

New Mexico Advisory Opinion 01-7

A judge may serve as a tribal judge.

New Mexico Advisory Opinion 01-8

A judge may teach a college class on juvenile justice and receive compensation.

Ohio Advisory Opinion 2001-1

When a judge's spouse is a candidate for elected public or judicial office, the judge may appear in the family picture and be listed by name with or without "judge" in the spouse's campaign literature but may not otherwise be depicted in an official capacity in the picture; the judge may allow campaign signs promoting the spouse's candidacy to be placed on real estate jointly owned by the judge and the spouse; may not speak publicly in support of the candidacy; may not wear a campaign button in public or in his or her chambers; and may not display in his or her chambers a campaign sign.

Pennsylvania Advisory Opinion 2000-1

A judge may not sign a nomination petition for a candidate.

Pennsylvania Informal Advisory Opinion 99-1-7

An appointed judge who is a candidate for election to judicial office may use the title "judge" with his name, e.g., "Judge John Doe," in campaign material.

Pennsylvania Informal Advisory Opinion 99-1-11a

A judge who is a candidate may not include a segment of film in which the judge meets with the president judge regarding a court program in a television advertisement.

Pennsylvania Informal Advisory Opinion 99-1-11b

The code does not limit the time for campaigning although it does limit the time for soliciting funds.

Pennsylvania Informal Advisory Opinion 99-1-12

A judge who has reported a lawyer to the disciplinary board for misconduct is not required to inform the lawyer.

Pennsylvania Informal Advisory Opinion 99-1-13a

A judge may not write a letter attesting to a person's character for use in pending litigation.

Pennsylvania Informal Advisory Opinion 99-1-13b

A judge may accept from a former legal intern a token gift given as an expression of Christmas greetings. If the value of the gift was more than \$200, the gift must be disclosed on the financial disclosure form.

Pennsylvania Informal Advisory Opinion 99-1-15

A judge who is a past chair of a political party may not attend a political fund-raiser honoring past chairs when the judge is not a candidate for election for judicial office where the judge's name would not have been mentioned in the letters of solicitation, advertising, or other publicity but would have been listed on a program given to those who attended the event.

Pennsylvania Informal Advisory Opinion 99-1-19

A judge is disqualified from cases involving the judge's former law firm where the judge and one of the owners jointly own a business that rents office space to the law firm and the judge's spouse is an associate in the firm.

Pennsylvania Informal Advisory Opinion 99-1-20a

A judge may continue to accept a gift of Superbowl tickets from a friend who gave the judge tickets before he or she became a judge where the friend has no case pending before the judge and has no case pending in the county in which the judge presides.

Pennsylvania Informal Advisory Opinion 99-1-20b

A judge who is a candidate for retention in office may attend political gatherings thirty days before the last day for filing a declaration of intention to seek retention.

Pennsylvania Informal Advisory Opinion 99-1-21

A judge may co-author a book on a legal subject with a lawyer.

Pennsylvania Informal Advisory Opinion 99-1-22a

A judge may narrate an audiotape on general legal matters for educational purposes as part of for-profit tape production on numerous subjects but may only be identified as a judge if he or she wrote. The judge may not use the judicial position to market the tape or allow the marketing process to interfere with judicial duties; marketing material should contain only facts; and the judge should retain a measure of control over the advertising.

Pennsylvania Informal Advisory Opinion 99-1-22b

A judge may act as executor of the judge's grandfather's estate.

Pennsylvania Informal Advisory Opinion 99-1-27

A judge may serve as chair of a non-profit organization that is not likely to be engaged in adversary proceedings in any court but the judge may not personally engage in fundraising activities.

Pennsylvania Informal Advisory Opinion 99-1-28

A judge of the Court of Common Pleas may not serve as trustee if the trust becomes involved in adversary proceedings in the Court of Common Pleas even if the judge does not sit in the division in which the action is brought.

Pennsylvania Informal Advisory Opinion 99-2-2

A judge may not perform a renewal wedding vow ceremony that will be broadcast at the request of a business but could do so if the couples had requested the judge or if the judge was the judge on duty to perform weddings.

Pennsylvania Informal Advisory Opinion 99-2-4

A judge's employee may attend and buy a ticket for a testimonial dinner for a governmental official.

Pennsylvania Informal Advisory Opinion 99-2-5

A judge may attend a non-profit organization's fundraising event but may not accept a free ticket if it is likely that the organization intends to showcase the judge.

Pennsylvania Informal Advisory Opinion 99-2-8

A judge may attend a reception held by several groups to honor some judges whose decisions have been attacked by the media.

Pennsylvania Informal Advisory Opinion 99-2-9

A judicial candidate who is not a judge should use language that does not suggest the candidate is a judge.

Pennsylvania Informal Advisory Opinion 99-2-15

A judge may be a member of a non-profit, non-partisan organization of former members of the General Assembly of Pennsylvania, their staff, former members of the Pennsylvania executive branch, or persons in private enterprise who need, during the course of their business duties, to have contact with members of the General Assembly if membership does not reflect adversely upon his impartiality or interfere with the performance of judicial duties, but the judge may not serve in a leadership position.

Pennsylvania Informal Advisory Opinion 99-2-16

The spouse of a judge who is a candidate for retention in office may serve as campaign committee treasurer, but may not solicit campaign contributions.

Pennsylvania Informal Advisory Opinion 99-2-17

In determining whether a judge may write a letter of recommendation for a college scholarship for a person whom the judge adjudicated dependent some time ago, a judge should consider whether the letter is the type that would be written in the ordinary course of business and personal relationship; whether it is not for a person with whom the judge has an insubstantial relationship; whether it is for a person who is attempting to use the judge's office to enhance personal interest; and whether the judge has had contact with the person for some time.

Pennsylvania Informal Advisory Opinion 99-2-18

A judge may be recused from a case in which one the attorneys is the court-appointed lawyer for a defendant charged with stalking in a case in which the judge is the complaining witness.

Pennsylvania Informal Advisory Opinion 99-3-1

A judge should send a letter to a district attorney who is also employed part-time for a law firm informing the attorney that the judge will send a letter stating that the law firm is prohibited from representing any criminal defendants throughout the Commonwealth and if the district attorney does not comply, the matter will be reported to the disciplinary board.

Pennsylvania Informal Advisory Opinion 99-3-2

A judge may perform a marriage ceremony in a church with a minister present and may refer to God, such as "in the presence of God and this company" and "what God has joined together, let no man put asunder."

Pennsylvania Informal Advisory Opinion 99-3-5a

A candidate for election to judicial office may personally circulate his or her nominating petitions.

Pennsylvania Informal Advisory Opinion 99-3-5b

A judge may accept as a gift use of a hotel room and two tickets for a wrestling tournament from the district attorney who was the judge's boss when the judge was employed in the district attorney's office, but should report them on the financial disclosure report.

Pennsylvania Informal Advisory Opinion 99-3-16

A judge may participate in a high school educational forum even though a candidate for district attorney is also participating.

Pennsylvania Informal Advisory Opinion 99-3-18

A judge may act as an arbitrator when the judge is assigned by the court to conduct arbitration as part of his or her duties during regular working times for no additional compensation and an appeal is permitted only for a corrupt result.

Pennsylvania Informal Advisory Opinion 99-3-23a

A judicial candidate may run an advertisement stating the history of his or her practice and the facts of some of the high profile cases he or she has prosecuted and may appear in the advertisement arguing to a jury if the advertisement is dignified.

Pennsylvania Informal Advisory Opinion 99-4-6

A judge may not permit a former law clerk to use the judge's chambers to meet with bar association committee members to obtain their endorsement as a candidate for election to judicial office.

Pennsylvania Informal Advisory Opinion 99-4-7

A judge may permit the judge's photograph to appear in a nonfiction book based upon a highly publicized trial over which the judge presided.

Pennsylvania Informal Advisory Opinion 99-4-12a

A judge may attend a dinner honoring a person who has been politically active to raise funds for the honoree's medical expenses.

Pennsylvania Informal Advisory Opinion 99-4-12b

A president judge must prohibit a court employee from seeking appointment to the civil service commission where appointment is by the vote of elected officials.

Pennsylvania Informal Advisory Opinion 99-4-15

A judge may permit a television station to record civil nonjury proceedings (not involving custody, support, or divorce) under the conditions specified in the code.

Pennsylvania Informal Advisory Opinion 99-4-22

A judge may not appear and speak in a bar association video presentation intended to solicit new members and reinforce the benefits of membership to existing members.

Pennsylvania Informal Advisory Opinion 99-4-26a

A judge is not disqualified from a criminal case in which the defendant sued the judge more than ten years ago and the suit was dismissed where the defendant is litigious and has sued several judges.

Pennsylvania Informal Advisory Opinion 99-4-26b

A judge may be a member of the board of directors of a nonprofit organization that is a funding source for programs that promote family planning where the organization is not a one-issue organization and is nonpartisan and apolitical.

Pennsylvania Informal Advisory Opinion 99-5-3

A judge may not attend and buy a ticket for a dinner honoring the retirement of an officer of a political party if the dinner is a fundraiser but may attend if the dinner has no partisan political activity.

Pennsylvania Informal Advisory Opinion 99-5-6

Judges and district justices may not be active in the campaign of a judge who is a candidate for election to retention.

Pennsylvania Informal Advisory Opinion 99-5-17

A judge is not required to disqualify from a case challenging the assessment system in a county in which all of the judges own property, but if the judge chooses to recuse, the judge would not be violating the directive that a judge perform the duties of the office diligently.

Pennsylvania Informal Advisory Opinion 99-5-21

A judge may testify at legislative hearings on child care.

Pennsylvania Informal Advisory Opinion 99-5-25

A senior judge may start a family business that would sell products by mail order where the business would not focus on the legal community and would not use a trade name that would be identified with the judge.

Pennsylvania Informal Advisory Opinion 99-5-26

A judge may serve as a member of the board of a foundation that engages in fundraising.

Pennsylvania Informal Advisory Opinion 99-6-1

A judge should not encourage the judge's spouse to make a campaign contribution, but is not required to discourage his spouse from making a campaign contribution. If the spouse makes a contribution, the judge's name should not appear on the check.

Pennsylvania Informal Advisory Opinion 99-6-7

A judge need not recuse for the president judge to follow the custom and practice in Philadelphia County of requesting an out-of-county judge in cases in which a Philadelphia judge is a party.

Pennsylvania Informal Advisory Opinion 99-6-11

A candidate for election to retention may attend a political event for a candidate for a non-judicial office and may speak on his or her own behalf, but may not speak on behalf of the other candidate. The retention candidate may purchase a ticket to the event if the candidate's name will not be required to appear on the other candidate's campaign finance report.

Pennsylvania Informal Advisory Opinion 99-6-15

A judge may serve as a member of an ad hoc committee concerning another court whose existence and funding are being debated by the executive and legislative branches of government.

Pennsylvania Informal Advisory Opinion 99-7-8

A judge who has received an unsolicited letter from a person the judge does not know stating that the person killed someone and reported to the authorities that another person did the killing is required to submit the letter to the district attorney.

Pennsylvania Informal Advisory Opinion 99-7-9

A judge may be interviewed for the newsletter of a non-profit organization that solicits funds for distribution to other organizations about certain organizations that do work with the court and which receive funds from the organization where the newsletter does not solicit funds.

South Carolina Advisory Opinion 1-2001

A judge may not serve on the board of an organization that advocates placing women on various boards or commissions around the community.

South Carolina Advisory Opinion 2-2001

A judge may not serve on the committee to determine the winner of an excellence in law enforcement award.

South Carolina Advisory Opinion 3-2001

A magistrate and municipal judge may hear municipal cases involving the chief of police or any other person involved with that police department as long as the judge fully discloses that the chief of police's child is the judge's secretary in magistrate court.

South Carolina Advisory Opinion 4-2001

A family court judge may not be a fellow of the state chapter of the American Academy of Matrimonial Lawyers.

South Carolina Advisory Opinion 5-2001

A judge may not serve on a committee to determine the qualifications of prospective investigators for a sheriff's department.

South Carolina Advisory Opinion 7-2001

A part-time judge may host a hair and fashion show for the judge's cosmetology business as long as he or she does not use the title "judge" to promote the show and may serve alcoholic beverages as long as the distribution complies with the law.

South Carolina Advisory Opinion 8-2001

A retired judge may sit on the steering committee of a university foundation that advises the foundation's executive director on matters such as the recruitment of volunteers to assist with fund-raising and the identification of potential contributors.

South Carolina Advisory Opinion 9-2001

A full-time master-in-equity may not be employed as a licensed title insurance agent because the master in equity handles title problems.

South Carolina Advisory Opinion 10-2001

A judge who refers cases to pre-trial intervention may not speak at a meeting of pre-trial intervention program participants.

South Carolina Advisory Opinion 11-2001

A college may solicit funds for a judge's wing dedicated to judges who have graduated from the college but may not use the names of any judges in the solicitation.

South Carolina Advisory Opinion 12-2001

A retired judge serving as a part-time judge may not be a member of the board of directors of a foster care organization.

South Carolina Advisory Opinion 13-2001

A part-time judge may serve on the board of the League of Women Voters and the board of a local child abuse prevention association and a hospice. A part-time judge may serve as an officer in the state women lawyers association.

South Carolina Advisory Opinion 14-2001

A full-time judge may not be employed by a mortgage company. A part-time judge may be employed by a mortgage company.

South Carolina Advisory Opinion 15-2001

A part-time magistrate may participate in a city's general election as a poll manager.

South Carolina Advisory Opinion 16-2001

A part-time magistrate may act as an expert witness as long as he or she does not state that he is a judge.

South Carolina Advisory Opinion 17-2001

A part-time judge may not accept an appointment to represent a defendant in a case in which the chief prosecutorial witness is a narcotics agent who may appear before the judge.

South Carolina Advisory Opinion 18-2001

Retired probate judges who practice probate law may not retain their memberships in the South Carolina Association of Probate Judges.

South Carolina Advisory Opinion 19-2001

A municipal court clerk may not hold the position of records clerk for the police department or victims advocate.

South Carolina Advisory Opinion 20-2001

A family court judge may be a member of a leadership forum team to develop state level collaboration among public child welfare agencies, domestic violence agencies, and juvenile and family courts through funding from the U.S. Department of Health and Human Services and a private foundation.

South Carolina Advisory Opinion 21-2001

A part-time municipal judge may serve on the board of directors for the local YMCA and the county chamber of commerce.

South Carolina Advisory Opinion 22-2001

A part-time magistrate cannot work as a paid lobbyist for the Cable Industry of South Carolina.

South Carolina Advisory Opinion 23-2001

A part-time municipal judge may continue to hold office while a candidate for probate judge.

South Carolina Advisory Opinion 24-2001

A family court judge may not participate with other county community leaders in a seminar whose goal is to bring together chief executives of schools, communities, social service agencies, and juvenile justice organizations to learn about ways to improve school safety.

South Carolina Advisory Opinion 25-2001

A judge may not preside over cases in which the judge's daughter's husband's brother is an attorney unless the parties waive the disqualification following disclosure.

South Carolina Advisory Opinion 26-2001

A judge may not unilaterally use money raised to improve the furnishings and fixtures in a courthouse to improve the judge's own offices.

South Carolina Advisory Opinion 27-2001

A part-time judge may participate in a fund-raiser for a candidate in a state-wide election.

South Carolina Advisory Opinion 28-2001

A judge may not serve on an advisory board for a non-profit organization that is a marketing entity for the county arts council.

South Carolina Advisory Opinion 28-2001

An assistant municipal judge may not be a member of a county fire investigative unit.

South Carolina Advisory Opinion 29-2001

A judge may hear cases in which the judge's former law partner is involved where the judge has been a judge for four years and last year sold his or her interest in the building in which they practiced.

South Carolina Advisory Opinion 31-2001

A judge may not hear cases, including uncontested cases, in which the judge's spouse or members of the spouse's law firm appears. A probate judge may hear cases in which the

attorney is the chair of the county council that sets the judge's salary, staff, and office space where the council does not select the judge.

South Carolina Advisory Opinion 32-2001

A part-time municipal judge may serve as an elected official of the local school board.

South Carolina Advisory Opinion 33-2001

A judge's spouse may make a financial contribution to a political campaign but may not use a check from a jointing checking account. A judge's spouse may solicit funds and participate in door-to-door campaigning for a candidate but may not introduce herself or himself as the spouse of a judge. A judge's spouse should not post campaign signs in the yard of the home they share.

South Carolina Advisory Opinion 34-2001

A judge may join the Sons of the American Revolution and/or the Sons of the Confederate Veterans if the organizations are open to all races.

South Carolina Advisory Opinion 35-2001

A part-time magistrate may work as a full-time forensic technician for the state department of law enforcement division.

South Carolina Advisory Opinion 36-2001

A judge may not speak at a retreat hosted and financed by a law firm that is likely to appear before the judge where the judge's expenses are paid by the law firm.

Tennessee Advisory Opinion 01-1

A judicial candidate's finance committee may satisfy a political campaign deficit created by an unsuccessful bid for judicial election in the summer of 2000 by, within 90 days of the election, soliciting contributions or, outside the 90-day limitation, accepting unsolicited contributions or agreeing among themselves to retire the debt.

Texas Advisory Opinion 269 (2001)

A municipal court judge or justice of the peace may serve as a school district board member. A municipal court judge may not serve as head of security for a school district.

Texas Advisory Opinion 270 (2001)

A judge may not serve on the judicial council of the Children's Assessment Center.

Texas Advisory Opinion 271 (2001)

A judge may not broker the purchase and sale of final judgments, cash streams, or accounts receivable even if none of the transactions would involve judgments from the court over which the judge presides.

Texas Advisory Opinion 272 (2001)

A judge may not send a letter to attorneys stating, “If I do not hear from you that you do not support me, I will list you on my campaign literature as a supporter.”

Texas Advisory Opinion 273 (2001)

A full-time judge may serve as municipal judge and supervise teen court for a municipality.

Texas Advisory Opinion 274 (2001)

A judge may serve on the board of directors of a Shrine Temple.

Texas Advisory Opinion 275 (2001)

A judge may not serve on the board of regents of a state university.

Utah Informal Advisory Opinion 01-1

A judge may voice support for or opposition to bills or proposals that have a connection to the regular judicial or administrative activities of the judge on the judge’s own initiative without waiting to be asked as long as the judge does not spend so much time speaking on legislative issues that the judge could be perceived as allowing those activities to interfere with judicial duties and as long as the judge does not question the constitutionality of a law or express an opinion on how a statute might be interpreted by the judge.

Virginia Advisory Opinion 01-2

A judge may testify about facts witnessed while he or she was a practicing attorney.

Virginia Advisory Opinion 01-3

A judge may leave accumulated funds in a 401(k) plan with his or her former law firm but should disclose the participation to counsel and to the parties when members of the judge’s former law firm appear before the judge.

Virginia Advisory Opinion 01-4

A judge may lecture at a police training academy regarding what is expected from officers in the court and legal developments so long as the judge does not appear to be coaching police on how to obtain convictions and does not participate on a regular, repeating basis.

Virginia Advisory Opinion 01-5

A judge pro tempore may agree to serve where the parties’ stipulation calls for deferred payment of his or her fee but if a party fails to make payments in accordance with the stipulation, may not withhold further performance, issue a show cause order, hold a party

in contempt (civil or criminal), or take any action to collect the agreed-upon fee while the case is pending.

Virginia Advisory Opinion 01-6

A judge may sign the statement on an application for appointment as a notary that represents that he or she has examined the application and recommends the applicant for appointment.

Virginia Advisory Opinion 01-7

Where a judge has leased the judge's entire interest in a building to the judge's former partner and will not hear any cases involving the former partner, the judge is not disqualified from a case in which a party is represented by an attorney who subleases an office from the judge's former partner in the building.

Virginia Advisory Opinion 01-8

A judge is not disqualified from a case in which an acquaintance is a party or a witness if the judge has no business relationship with the person and the relationship is not a close social or personal one.

Washington Advisory Opinion 01-1

A judicial officer may not allow court employees to volunteer at victim impact panels to which the judicial officer has ordered defendants to attend.

Washington Advisory Opinion 01-2

A judicial officer may serve on the board for the county volunteer lawyer program where the program's attorneys will not be appearing before the judicial officer.

Washington Advisory Opinion 01-3

A judicial officer may not allow court staff to change, alter, or amend a charging document to match the cited statutory section.

Washington Advisory Opinion 01-4

A judicial officer may not serve as a member on the board of directors for a non-profit agency that provides services and programs to individuals with mental health and chemical dependency problems if the agency employees occasionally appear in front of that judge on behalf of their clients who are criminal defendants in the municipal court.

Washington Advisory Opinion 01-5

A judicial officer may preside in case in which a party is a collection agency that is a client of the judicial officer's former law firm. If the judicial officer has posted the name of the collection agency's in-house counsel in the courtroom as having assisted in the judicial officer's campaign and having previously practiced with the judicial officer, the judicial officer need not disclose orally on the record the fact that the judicial officer's law firm at one time represented the collection agency. The judicial officer may

participate with the court director and other judges when the court considers its choice for an agency to collect unpaid court costs and fines when the contract comes up for renewal but should disclose the past association with the collection agency and the law firm that represents it during the contract renewal period if there are circumstances that would cause a reasonable person to feel such disclosure would be relevant.

Washington Advisory Opinion 01-6

A judge who as a member of the county law library board of trustees pursuant to statute signed a demand letter to restore space to the library that is being used by the prosecutor's office may preside in cases involving the prosecutor and may sit on the board and sign the demand letter if board files lawsuit against the county to provide adequate space for the library even if judge informed the board about the prosecutor's threat to file affidavits of prejudice.

Washington Advisory Opinion 01-7

A judge may serve on a civic or charitable board and be listed on letterhead that will be used for fund-raising or membership solicitation provided the judge's name and position in the organization appear without the judicial title and there is a comparable listing for other persons. The judge should constantly monitor the activities of the organization to determine the judge's association remains appropriate and that the organization letterhead is not used solely for fund-raising or membership solicitation purposes.

Washington Advisory Opinion 01-8

If the court adopts a local rule setting out a procedure for juvenile probation officers to submit conditions of release to judges ex parte, a judge may approve the conditions.

Washington Advisory Opinion 01-9

A judge may write a letter of support for a new tribal detention facility if the letter is confined to matters about which the judge has personal knowledge such as the connection between the judge's court and the detention center or the general need for a new facility in the county.

West Virginia Advisory Opinion (October 24, 2000)

A judge whose spouse is employed by the state department of health and human resources is not disqualified from cases involvement the department unless the spouse is involved directly in the case but should disclose the relationship.

West Virginia Advisory Opinion (December 18, 2000)

A new judge may accept payment of accounts receivable fees or contingency fees for cases handled prior to becoming a judge.

West Virginia Advisory Opinion (December 16, 2000)

A new judge whose courtroom or office will not be ready for occupancy for three months may rent the judge's old office to the county commission for the judge's use.

West Virginia Advisory Opinion (January 16, 2001)

A judge should sell the judge's interest in a real estate partnership with other attorneys that owns a building rented to a local law firm and the payment should be in one-time lump sum. Until the sale takes place, the judge should disqualify from cases involving his or her real estate partners.

West Virginia Advisory Opinion (January 16, 2001)

A new judge may enter into a purchase agreement with the judge's former law firm pursuant to which the judge would receive intermittent payments from the judge's former law partners for an extended period, but the judge must recuse from cases involving the firm.

West Virginia Advisory Opinion (February 16, 2001)

A judge should not serve on a domestic violence fatality review team.

West Virginia Advisory Opinion (February 16, 2001)

A family law master whose spouse is a prosecutor or assistant prosecutor may have to hold a hearing to determine if disqualification is necessary in a case in which his or her spouse is not appearing to determine the extent of any involvement of the prosecutor/spouse with the case and what efforts were made to insulate the spouse from the case, file, witnesses, etc..

West Virginia Advisory Opinion (February 16, 2001)

A judge may serve as trustee of a foundation whose funds are primarily derived from family contributions. A judge may serve as trustee for a foundation that relies on contributions from private sources and does not solicit funds.

West Virginia Advisory Opinion (March 8, 2001)

A judge should disclose that an attorney appearing in a case represented the plaintiff in a case brought against the judge personally when he or she was an attorney and against the judge's former client where there are allegations that the judge's client had not complied with the settlement and that raise civil if not criminal matters. A judge should disclose that the judge represented a defendant who was a co-defendant with a client represented by the judge.

West Virginia Advisory Opinion (March 8, 2001)

A judge may not become a member of the board of directors of a co-op.

West Virginia Advisory Opinion (March 15, 2001)

A part-time mental hygiene commissioner may accept court appointments in abuse and neglect juvenile matters.

West Virginia Advisory Opinion (March 23, 2001)

A judge should not attend town meetings held to address drug and violence problems in certain areas of the community.

West Virginia Advisory Opinion (April 5, 2001)

A new judge may not complete the administration of an estate for an individual who is not a member of the judge's family.

West Virginia Advisory Opinion (March 15, 2001)

A judge may conduct a mock trial to teach fire fighters and police officers how to put together cases in order to better assist the prosecuting attorney's office and to explain to them the working of the court.

West Virginia Advisory Opinion (May 7, 2001)

A judge may serve on board of the courthouse facilities improvement authority created by statute to study the problems involving courthouse facilities and propose a method for state and local governments to address those needs.

West Virginia Advisory Opinion (May 21, 2001)

A judge may serve on the advisory board of the Make a Wish Foundation.

West Virginia Advisory Opinion (July 5, 2001)

A judge may provide a list of frequently used telephone numbers on a place mat in a restaurant and place his or her name on the bottom without including any judicial identification.

West Virginia Advisory Opinion (July 5, 2001)

A judge may not purchase a car from a woman where the car was awarded to the woman in a divorce settlement approved by the judge's court even if the judge first heard that the car was for sale from a conversation the woman had with the judge's spouse.

West Virginia Advisory Opinion (July 5, 2001)

A judge must report a partial contingent fee recovery received two years after going full time on the bench for a case that was pending when he or she closed her private practice and had been referred to another attorney for completion.

West Virginia Advisory Opinion (September 18, 2001)

A family law master may ride in a parade in a vehicle with the family law master's name and title and introduce himself or herself as a family law master.

West Virginia Advisory Opinion (September 28, 2001)

If a judge wants to solicit contributions to retire a \$20,000 debt by the judge's campaign committee after the judge has closed out the committee, the judge must form a new committee.

West Virginia Advisory Opinion (September 28, 2001)

A judge may appear as a private citizen to express his or her opposition to a proposed ordinance that would impair the judge's property interests.

West Virginia Advisory Opinion (September 28, 2001)

A judge may not write a letter as a father to the judge who is presiding in the judge's son's case reconsideration hearing.

Wisconsin Advisory Opinion 00-1

A judge may hear cases in which attorneys from the law firm in which the judge's niece practices represent litigants but should consider recusal on a case by case basis.

Wisconsin Advisory Opinion 00-2

A judge may sign the nominating petition of a partisan candidate for office but should consider the precise language of the petition and whether the petition may be used for any purpose other than filing with the appropriate public official.

Wisconsin Advisory Opinion 00-4

A judge with a disability may testify as an expert witness about the judge's experiences as former chair of the ABA Commission on Mental and Physical Disability Law, teaching on the Americans with Disability Act, and using model technology in judicial work to meet the judge's special needs at a Canadian administrative tribunal hearing on behalf of an interest group that seeks a binding administrative rule declaring that the Canadian Human Rights Act applies to the Canadian judiciary and the judiciary must accommodate people with disabilities.

Wisconsin Advisory Opinion 00-3

A judge who formerly was the corporation counsel in charge of the county's child support agency is not disqualified from child support cases except those cases where the judge served as a lawyer or has prior knowledge of disputed facts. A judge who formerly was the corporation counsel in charge of the county's child support agency has a duty to carefully review child support cases to determine if he or she should recuse when an employee known to the judge while acting as head of the agency will testify on a contested issue in which the employee's credibility is subject to judicial determination or when a lawyer whom the judge formerly supervised appears on a case that was in the agency at the time the judge was supervising the agency.

U.S. Advisory Opinion 97 (1999)

Following initial appointment, a magistrate is not obligated to notify the parties in a case that either a lawyer or a party was a member of the panel that considered the magistrate's application for appointment. When an incumbent magistrate is seeking reappointment, during the period that the panel is considering what recommendation to make concerning reappointment, the magistrate is required to recuse absent remittal. If the magistrate is reappointed, disqualification is not necessary. If a magistrate is not reappointed, the magistrate should recuse subject to remittal for the balance of the term of office. When an attorney is a member of the panel, the magistrate need only recuse in those cases in which that attorney appears, not in cases in which other members of that attorney's firm

appears. Where a designee of a U.S. Attorney or federal public defender is a member of the panel, the magistrate must recuse only in cases in which those designees appear and not in cases involving other attorney from those offices, but if the U.S. Attorney or the federal public defender serves on the panel, recusal is necessary in all cases involving that attorney and that attorney's office. If the magistrate knows that a lawyer or non-lawyer member of a panel has a financial interest that could be substantially affected by the outcome of a case, the magistrate should recuse, but the panel member's presence on the board of a business or community organization that is a party in a case does not require recusal unless the panel member has a financial or other personal interest that could be substantially affected by the outcome of the case. A magistrate may not advise attorneys and parties that the comment period is open and that they can make comments on his or her reappointment.

U.S. Advisory Opinion 98 (2000)

Newly appointed judges may not solicit gifts on the occasion of an investiture or otherwise. A judge may accept a tangible gift such as a judicial robe, clock, chair, gavel, or money or the offer of a reception in the judge's honor from a former law firm, corporate employer, business client, colleagues, or bar association. The judge may not accept a gift or reception from a for-profit company that has no pre-existing or long-standing relationship with the judge or from an organization that is publicly identified with controversial legal, social, or political positions or that regularly engages in adversary proceedings in the federal courts.

U.S. Advisory Opinion 99 (2000)

A judge is not required to recuse from a case in which one of the attorneys represents a class in an unrelated matter when the judge or a relative of the judge is a member of the class unless the class is a small one, the judge or the relative is a named plaintiff or is playing an active role in the litigation, or the judge or the relative has a reasonable expectation of a substantial recovery.

U.S. Advisory Opinion 100 (2000)

For purposes of disqualification in bankruptcy cases, not every creditor or interest holder in a bankruptcy estate is "a party to the proceeding," and filing a proof of claim or submitting a ballot on a proposed plan or reorganization does not create the status of "party." Debtors, trustees, creditors on a committee of creditors, parties to an adversary proceeding, and participants in a contested matter are considered parties. Judges in bankruptcy matters should be vigilant to the possibility that a creditor or interest holder's status may change to that of a party. In an ordinary bankruptcy case, a judge has no obligation to review the schedule of creditors and interest holders to look for possible disqualifying circumstances.

U.S. Advisory Opinion 101 (2001)

A judge who owns a debt interest for a corporation or governmental entity is not disqualified from cases in which the issuer is a party unless the interest could be substantially affected, measured not by the size of the judge's interest but by the extent to

which that interest could be affected. A debt security that may be converted to stock is a stock for purposes of determining a financial interest.